THE SOCIAL CONTRACT

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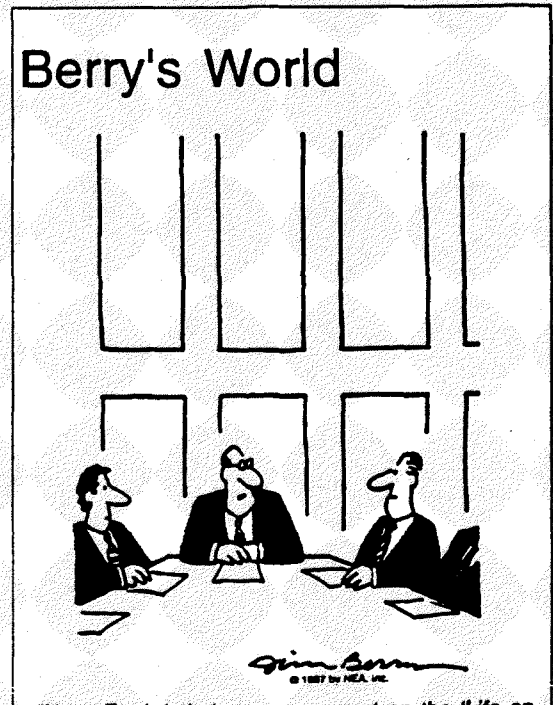

"Now, Fred, let's have your report on the 'Life on Other Planets as a Source for Cheaper Labor' project."

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An excerpt from a 1928 book on restriction has a very familiar ring. ***See page 180.***

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About The Social Contract

The English philosopher John Locke, whose thinking helped inspire the American revolution, said that society should be governed by an understood set of values he termed "the social contract." Under the social contract, governments have obligations to their citizens, and citizens have responsibilities to society.

Most great public issues are basically moral and ethical ones. What is the right thing to do? How do we decide what we think is right? When "rights" collide, which ones take precedence? The concept of the social contract helps us sort out the difficult issues confronting American society today and helps us find balance.

Each quarter, **The Social Contract** journal examines trends, events and ideas that could unravel America's delicate social fabric. Key topics addressed by this journal:

- *Human population issues, including absolute size, rate of growth and distribution.* Do cherished American ideals prosper or suffer through further population growth?
- *Immigration issues.* In order to best facilitate meeting the highest goals of the American people, (1) how many immigrants should we admit? (2) who should be admitted, and (3) how can we humanely enforce the rules?
- *Language, assimilation, culture and national unity considerations.* What are the shared values necessary to the maintenance of our social contract?
- *The balance of individual rights and civic responsibilities.* Since the previous issues are so often framed in terms of rights, what are the balancing obligations?
- *Other nations' efforts at guarding or creating their own social contracts.* What practical insight can be gained from observing the failures and successes in nation-building by other societies?

The Social Contract explores these complex and interrelated issues with articles varying greatly in outlook and philosophy in the attempt to further vigorous public debate.

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THE SOCIAL CONTRACT

Vol. VII, No. 3 Spring 1997

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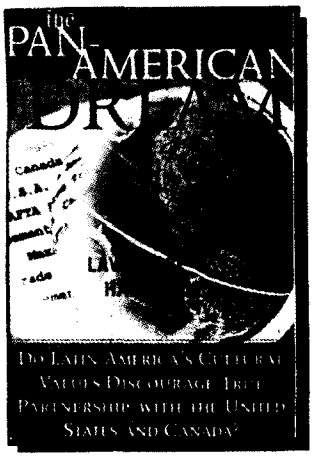

THE PAN-AMERICAN DREAM

LAWRENCE E. HARRISON

Harrison traces the roots of the vast political, economic, and social gap between Latin America, on the one hand, and the United States and Canda, on the other, to the fundamental differences between traditional Ibero-Catholic and Anglo-Protestant cultures — the cultures that divided Europe when the New World was opened. The histories of Argentina, Brazil, Chile, and Mexico reveal common threads of authoritarianism, limited opportunity for common people, corruption, and injustice, while the histories of the United States and Canada follow parallel paths to democratic modernity and prosperity.

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Letter from the editor

The Reverse Brain Drain

In this journal we have often expressed concern for the job competition that lower-skilled Americans face from immigration. We have also essayed on the ways in which the mass importation of workers, and the export of jobs under NAFTA and GATT, are two sides of the same coin. Both bring blue-collar American workers into frontal competition with the underemployed or unemployed of the Third World, to the detriment of Americans' wages and working conditions.

In this issue, we look at the effects of skilled migration from the Third World on more highly-educated Americans, and at the colonization of academe — particularly in the hard sciences — by the foreign born. The effects are already widespread and of serious long term import. We could call this the Reverse Brain Drain — the loss of American brains in highly skilled fields.

Physician Mark Godec leads off with a look at the stifling effects and inter-generational inequities of the preference in medical research fields for foreign-born scientists. He tells us how this affects American scientists' prospects and their career choices, concluding that "any nation that believes it can hire people from other countries to do it's thinking is in serious trouble."

Computer Science Professor Norman Matloff shows the computer industry's claim — that needed brain power is not available domestically — for just what it is: an attempt to soften the U.S. labor market.

Immigration researcher David North further distinguishes between immigrant and non-immigrant scientists and gives us the numbers involved.

In reviewing the Rand Report on higher education, David Simcox highlights the tensions and contradictions that the presence of so many foreigners is causing on campus, especially in the light of affirmative action, as well as language and cultural disparities.

We close the theme section with two reprinted articles on job prospects in high tech fields, a reminder of the 1975 John Oswald letter to Rep. Joshua Eilberg, Perry Lorenz's dissection of Cypress Semi-Conductor CEO T.J. Rodgers' arguments for importing foreign computer scientists, and an excerpt from a 1928 book showing there's nothing new about the pleas of business and agriculture for cheap foreign labor.

Increasingly, I have been hearing anecdotal evidence from highly-trained Americans who have run into what they see as *unfair* competition from foreigners. They are mad — and they are not going to take it anymore! Docility and resignation are gone, they are "wired" on the internet, and are getting organized for action.

Notice to our political leaders: the fairly educated are a dangerous class for any society to have unemployed or disaffected. It is time to address their very real employment concerns.

The middle survey section of this issue looks at a neglected area: the interior enforcement of our immigration laws, for which Congress has *authorized* but failed to *appropriate* the needed funds. This has facilitated a rapid growth in our illegally resident population, as two syndicated columnists explain. Then Don Feder gives us a taste of the seemingly immiscible character of LA's simmering "melting pot," and Leo Sorensen tells us about the Ebonics controversy in his home town—Oakland, California.

David Payne continues his search for logical fallacies in the immigration debate by examining the comments of *Wall Street Journal* columnist Paul Gigot.

Our survey section closes with a fine piece on Hispanic activism by Californian Diana Hull, an article on maintaining national culture by Australian Robert Birrell, as well as reports from the Chicano conference at Michigan State University and from a meeting at Chicago drawing together local activists in immigration reform from around the country.

Pertinent books and papers are reviewed by Wayne Lutton, Don Collins, David Payne and James Walsh.

We hope you'll find this edition of our journal both helpful and stimulating reading.

JOHN H. TANTON,
Editor and Publisher

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Letters from our readers

THE SOCIAL CONTRACT **Forum**

SEND US YOUR COMMENTS AND QUESTIONS VIA:

- **MAIL** — Write to Editor, THE SOCIAL CONTRACT, 316½ East Mitchell Street, Suite 4, Petoskey, MI 49770.
- **EMAIL** — Send electronic mail to soccon@freeway.net.
- **FAX** — Fax to (616) 347-1185.

Re: Anchor Babies

Editor:

I must tell you that the Fall, 1996, issue of THE SOCIAL CONTRACT is the most exciting issue I've seen to date.

We have been working closely with Rep. Bilbray, who represents San Diego, and we are very excited about the possibility of his citizenship reform legislation. Unfortunately, the agenda was too full to get his bill on the floor during the last session, even though it had been presented in committee the previous December.

I worked on his campaign for re-election and he has assured us he will fight "tooth and nail" to get it introduced in the 105th Congress. We are also very enthusiastic about getting legal immigration before Congress, as they promised to deal with it when it was stripped out of HR 2202.

BYRON SLATER
Editor, *The Fence Post*
Border Solution Task Force
San Diego, California

A Needed Correction

Editor:

On page 115 [of THE SOCIAL CONTRACT, Vol. VII, No. 2, Winter 1996-97] Professor Payne quotes F. Fukuyama about "Eric Benhamou the founder of 3Com...," etc.

Eric B. was *not* the founder of 3Com; Dr. Robert Metcalfe was the founder and inventor of the Ethernet idea (I know RM from MIT college days). Eric B. was with Bridge Communications which either was acquired or merged with 3Com. Eric B. eventually displaced Robert Metcalfe. The article as written by Dr. Payne, then, sounds silly to those informed on events in Silicon Valley. Also, ER is of Algerian Jewish origins but, as I recall, probably spent most of early life and was educated in France whence he probably migrated to the U.S.

Incidentally, 3Com recently announced plans to merge/acquire U.S. Robotics where RB will again be on top. By most accounts he has done a good job of growing 3Com into a Fortune 1000 company, but his contribution, it seems, is primarily managerial. (The same can be said of Andrew Grove, a Hungarian, at Intel; he had nothing to do with the invention of the "chip" attributed to Robert Noyce.) The technology was invented by Americans, usually engineers, who are not always given to top management roles.

WILLIAM E. MURRAY, JR.
Portolo Valley, California

David Payne Responds

Dear Mr. Murray:

Thank you for your comments concerning 3Com. I have been known to sound silly before, and probably will again in the future. In this case it won't trouble me since, for my purposes, the actual founder of 3Com is irrelevant — Fukuyama is the one who made the claim and I was merely commenting on a logical point concerning the structure of his remarks.

I have to admit, though, it would have been nice to have pointed that out to Mr. Fukuyama (and may even have been ironic; I could have said: "but *if he had been* the founder... ").

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Anyway, your comments were very helpful, and interesting to boot, and I thank you for them.

DAVID G. PAYNE
Petoskey, Michigan

An Item from the Trenches

Editor:

I got a taste of illegal immigrants on July 11, 1996, when my wonderful little car was stolen by illegals. All evidence was there and they drove it north; hasn't been seen since. Along with my car went $200 worth of clothing and a hand lens in my day pack. The day pack got stolen too.

They apprehended 14,000 illegals two months ago just in the Douglas, Arizona, area! Those are the ones that were caught. How about all the others who weren't?

Keep up the fight over immigration.

DAVID A. JASPER
Portal, Arizona

Kudos from Scotland...

Editor:

I am very pleased to renew my subscription to THE SOCIAL CONTRACT. The magazine is of an exceptionally high standard. I also like the feel of it; solid, substantial. Something on glossy paper wouldn't convey the academic weight.

In addition to renewing my subscription, I would be grateful if you would send the previous issues listed on the attached.

ALISTAIR D. MCCONNACHIE
Edinburgh, Scotland

...And from Australia:

[The Winter 1996-97 issue of THE SOCIAL CONTRACT was reprinted (1,000 copies) and circulated widely among immigration reform activists in Australia. We quote from a cover letter for that distribution written by Graeme Campbell, a representative in the Australian Parliament.]

To Whom It Should Concern: "The Social Contract"

I urge anyone with serious aspirations to understanding the urban, national, civilizational and global dilemmas posed by immigration, multiculturalism and multiracialism in the light of world demographic, environmental, economic and political trends to read the enclosed edition of "The Social Contract" from cover to cover — twice!

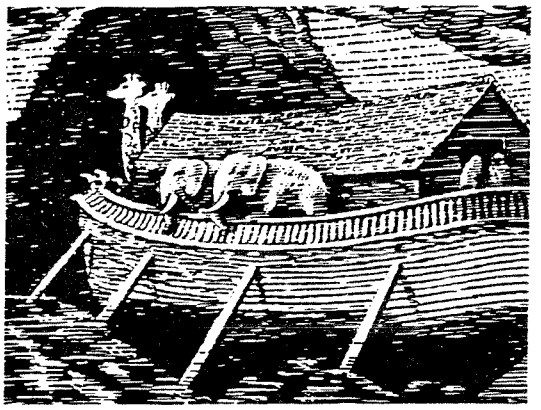
Whilst our contemporary Australian scene is well covered for the largely American subscription base of T.S.C., any thinking Australian reader will not fail to notice when reading the U.S. and Canadian material that there exists a myriad of disquieting parallels and portents relevant to Australia's future. We are speeding down the potholed American road. Paved as that road may once have been with good intentions, it is now undeniably leading to escalating social tensions and political instability.

The survey of the latest literature in this edition is wide, expert, and sobering....

I consider this scholarly but plain-speaking journal to be the best of its kind in the world on the topics it embraces. I would hope that in your work [as activists] you may be able to draw to it the wider public attention that it deserves....

Yours sincerely,

GRAEME CAMPBELL MP
Federal Member for Kalgoorlie



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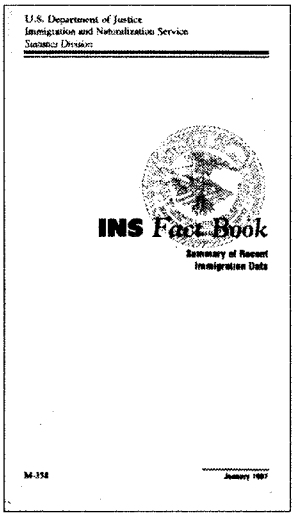
Bulletin Board

Booklets for Activist Wannabees

Roy Beck has produced two new booklets which are available from The Social Contract Press. The first is *Immigration Action Guide* which is designed to be distributed to an audience that has just seen the "Immigration by the Numbers" video. It describes five steps that each citizen can take to bring down the numbers of legal immigration. (20 pages, $2.00 per copy, 50 copies for $20.00.)

Beck has also produced *Congress Locator*, a 32-page booklet mapping congressional districts with highways and towns included for easier identification. It lists the address, telephone and fax numbers, e-mail address and web site for all 535 members of Congress. These are $3.00 per copy; 50 copies for $35.00.

Order toll free from The Social Contract Press, 1-800-352-4843.



The INS Fact Book

The Statistics Division of the Immigration and Naturalization Service each year produces a handy pocket-size distillation of facts and figures that is available free for the asking. Contact the Headquarters Office of Public Affairs at (202) 514-2648. An order can be recorded on an answering machine at 1-800-755-0777.

Immigration on the Internet

THE SOCIAL CONTRACT journal and THE SOCIAL CONTRACT PRESS are on the internet. Our address is: **www.tscpress.com**. Our home page gives our mission statement, information about THE SOCIAL CONTRACT, a list of books for sale, editorials from several immediately previous issues which highlight the contents of each, plus the internet addresses of other groups working on immigration reform, population control and national unity questions.

This home page also hosts the newsletter of the Biocentric Institute edited by William Dickinson.

Associate Editor Roy Beck has a new web site dedicated to enabling citizens to fax timely messages to Members of Congress. Visit the site at <www.numbersusa.com>.

Other internet sites to visit include:

- Philip Martin publishes *Migration News* and can be reached at <gopher://dual.ucdavis.edu>.
- Professor Norman Matloff has many articles and a great deal of data at: <heather.cs.ucdavis.edu/pub/Immigration/Index/html>.
- Joseph Daleiden heads the Midwest Coalition to Reform Immigration and his web site is: <www.enteract.com/~mcri97>.
- Glenn Spencer leads Voices of Citizens Together. They can be reached at their web site: <www.instanet.com/~vct>.

E-mail addresses for related organizations:

- The Federation for American Immigration Reform (FAIR) <fair@fairus.org>
- Center for Immigration Studies (CIS)<center@cis.org>
- Negative Population Growth (NPG)<103527.3545@compuserve.com>
- Carrying Capacity Network (CCN)<ccn@igc.apc.org>
- Californians for Population Stabilization (CAPS)<caps@calweb.com>
- Philip Martin of *Immigration News* can be reached at <migrant@primal.ucdavis.edu>
- And, of course, THE SOCIAL CONTRACT's e-mailaddress: <soccon@freeway.net>

Cumulative Index Available

Each year the editors of THE SOCIAL CONTRACT have assembled an index of the articles and book reviews in those four issues. We now have available a cumulative index of the first six volumes of the journal ($5 for either paper or 3½ floppy). There are two sections to the index: a list of authors and their works, and a list of articles by title. The subject listings of the indices have not been collated.

Affirmative Action Update

Writer Jim Robb's article for the Winter 1995-1996 issue of THE SOCIAL CONTRACT (Vol. VI, No.2) has opened significant debate on the issue of affirmative action for immigrants. Add your comments at a web site dedicated to that topic: www.netcom.com/~jimrobb. TSC

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Latter Day Plantations

The National Institutes of Health and the immigration economy

by Mark Godec

This article explores the effects of immigration and job exportation on scientific research institutions in the U.S. with emphasis on the intramural research programs of the National Institutes of Health (NIH), previously regarded as one of the premier biomedical research institutions in the world.

In the past, the primary missions of universities and the NIH were to conduct advanced scientific research for the country and to train the children of American citizens to perform such research in the future. During the decades following World War II, the medical and scientific research infrastructure of the United States grew enormously, creating opportunities for many American physicians and scientists to establish careers at institutions such as the NIH, and state and private universities. Young Americans with advanced scientific degrees were quickly promoted into permanent, well-paying jobs with substantial benefits to conduct advanced research funded by state and federal governments.

> The extended use of cheap foreign labor to man American laboratories is also a profound disservice to U.S. scientists and the future of American research.

Today, a walk down the halls of the NIH or any American university reveals young foreign M.D.'s and Ph.D.'s, often from Asia, doing advanced scientific research. A survey of NIH laboratories five years ago found that approximately two-thirds of scientists doing research at NIH were foreigners. Fewer and fewer young Americans are found in research programs, especially in the basic sciences.

The ongoing importation of M.D.'s and Ph.D.'s into institutions such as the NIH has contributed to the current glut of scientists and physicians in this country, holding down wages and limiting opportunities for Americans. This has particularly affected the young who aspire to such research positions. Young Americans are increasingly unwilling to work at the wages being offered for scientific research, especially given the large educational debts they have often accrued in U.S. educational institutions. Immigrant researchers at the NIH have held down scientific labor costs to the point where licensed physicians generally start at $30,000 a year and Ph.D.'s start at $25,000 a year. These are token salaries, given the cost of living in the Washington, D.C. area and the educational debt that most American scientists have accumulated. Foreign M.D.'s and Ph.D.'s trained in the Third World usually do not carry any educational debt, or if they do it is trivial in comparison with the debt load carried by Americans trained in U.S. institutions. Many graduate students and fellows training for research in the basic sciences at U.S. universities are so poorly supported that they often qualify for food stamps. This differential in educational debt as well as large differences in income expectations between foreign and American scientists drives American youth away from scientific research as an occupation.

The most devastating effect of immigration is to demoralize current and upcoming generations of American scientists who find that funds which in previous times would have supported their research in permanent full time jobs are now devoted to foreign scientists prepared to work at ever lower real wages. Junior scientists have found that their wages have not kept pace with inflated costs for homes, rent, food or other basic necessities. This means that

Mark S. Godec, M.D. *is a physician and scientist affiliated with the National Institutes of Health, Bethesda, MD.*

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they are at most able to rent an apartment, drive a used car and support only themselves. A family and children are out of the question unless the spouse is also fully employed.

On the other hand, this immigrant labor pool represents a huge boon to older, established scientists at NIH and other U.S. research institutions. Special organizations within the NIH such as the Fogarty Foundation have been established by the federal government to fund foreign scientists in this country. Experienced scientists can quickly and efficiently exploit this pool of cheap labor to complete projects and publish papers before others can react. The usual pattern is for an older scientist, usually a white male with extensive research experience and a large research grant, to employ large numbers of the foreign scientists to conduct laboratory research. Senior American scientists spend much time writing for grants and traveling to scientific meetings to learn about ongoing research of other scientists and to hear the ideas of young American scientists. Senior scientists also spend much of their time writing papers to promote themselves and their laboratories. They spend little time actually performing scientific research. Laboratory work is performed primarily by immigrant scientists. When a valuable research project is identified, the senior American scientist brings the idea back to his laboratory and assigns several junior foreign scientists to start work on the idea immediately. With sufficient capital, labor and his own experience, the senior scientist is quickly able to complete the project and publish results before anyone else. As the scientific literature is flooded with a series of articles, the originator of the idea is often left without credit for his or her work.

"Experienced scientists can quickly and efficiently exploit this pool of cheap labor to complete projects and publish papers before others can react."

Tenure entrenches senior scientists. As they grow older, they increasingly depend on immigrant scientists to work for them. Younger scientists are forced to endure longer and longer periods of "training" at low wages before they are even considered for permanent jobs. The effect is to further demoralize and discourage young Americans from pursuing research positions.

Foreign scientists are often favored by senior American scientists for several reasons. They tend to be more docile and cooperative and will not question the authority or the scientific projects of their laboratory chief. They will generally work much longer hours in the laboratory than Americans which can help compensate for lack of expertise and poor communication skills. They generally do not have novel scientific ideas of their own and can be assigned projects by senior scientists without questioning their source or scientific merit. When they do come up with a valuable idea or project, it can easily be taken from them by the American lab chief who is skilled in writing scientific publications in English. Since foreign scientists tend to lack communication skills and knowledge of the American scientific and legal system, it is difficult for them to claim intellectual rights for their ideas.

Foreign scientists also are a great advantage to senior American scientists in that they are more "disposable" than junior American scientists. If foreign scientists are not working hard enough, if they are not intelligent enough, if their communication skills are so poor that meaningful laboratory work is not possible, or if they become too independent or demand too much salary or resources, then the simple solution is to immediately withdraw support from the foreign scientist and send him back to his or her native country. Since most of these immigrant scientists are from the Third World, this threat carries a very powerful incentive to perform immediately and continuously from their arrival in this country.

For many immigrant scientists, the primary goal is not advanced scientific research, but to remain in the U.S. and avoid returning to their country. Fear of returning to the Third World is a whip as potent as any used on plantations of the pre-Civil War American South. Combined with the carrot that they may be allowed to stay in the U.S. if they can satisfy the demands of their laboratory chief, there is potent motivation for immigrant scientists to work

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very hard at very low wages. One interesting solution that many foreign scientists follow is to have children while in this country temporarily which makes their children U.S. citizens. These children can later be used to gain permanent status in the U.S.

Just as foreign scientists can be brought into the U.S. to perform work, research jobs can also be exported to other countries to reduce labor costs. With increasing frequency, scientific projects and funds are sent from the NIH and American universities to collaborators in the Third World. This frees U.S. scientists from problematic regulatory oversight, especially when human subjects are involved, and allows access to scientists in the Third World as a low cost source of labor.

Plantation Science

Initially, research conducted in this "plantation" system appears efficient since research projects are brought to completion more quickly through the combination of senior scientists with extensive experience and a large supply of cheap labor from immigrant scientists. Over the long term, this pattern is having a devastating effect on American research as older American scientists eventually retire and there is an insufficient number of highly trained and motivated junior American scientists with extensive research experience and communication skills to replace them. A system of scientific research based on exploitation of immigrants will eventually lead to technological stagnation, as occurred in the American South prior to the Civil War.

"For many immigrant scientists, the goal is not advanced scientific research, but to remain in the U.S. and avoid returning to their country."

This type of research leads to disasters such as occurred in the 1980s when the original isolate of the AIDS virus from Luc Montagnier's group at the Pasteur Institute in France was stolen by foreign scientists working in the laboratory of Robert C. Gallo at the NIH. Desperate to isolate the virus that causes AIDS but technically unable to achieve isolation of the virus from AIDS patients, these scientists borrowed specimens from the French group and then claimed isolation of the virus from the French specimens. This claim was accepted for a while allowing the scientists to publish articles and file patents from the NIH. Eventually, closer inspection of the NIH viral isolate showed it to be identical to the French virus leading to long court battles over the patents and federal investigations of the research performed at the NIH.

Diversity is a Weakness

Diversity in American society is not a strength, it is a weakness — a weakness that allows those in the upper classes to exploit those below by pitting diverse groups against each other for jobs, capital and resources. Increasing diversity has led to disparities of wealth and growing social problems in our country. It is emblematic of weak leadership that it uses this diversity to divide and conquer those below them. At the NIH and other research programs, diversity has led to the fragmentation and balkanization of research initiatives as well as poor communication and coordination between scientists, both foreign and American, charged with performing research.

The NIH and American university research programs were once great centers of advanced scientific research which stood as beacons of pride and hope throughout the world. A few universities have been able to maintain their pre-eminence. Unfortunately, we have built a modern tower of Babel at the NIH and in many of our academic research programs. We have brought together people of many nations speaking many different languages and with many different motivations — brought them together to achieve difficult goals while lacking the fundamental tools of communication and cooperation. Like the tower of Babel, our research institutions are doomed to failure if we persist in following the plantation system in our scientific endeavors. Money that might have been used to train a new generation of American scientists has instead been diverted to the development of scientific plantations at the NIH and academic research institutions. The short-term savings in labor costs are minimal in comparison with the enormous long-term damage of losing a whole generation of trained and motivated American scientists.

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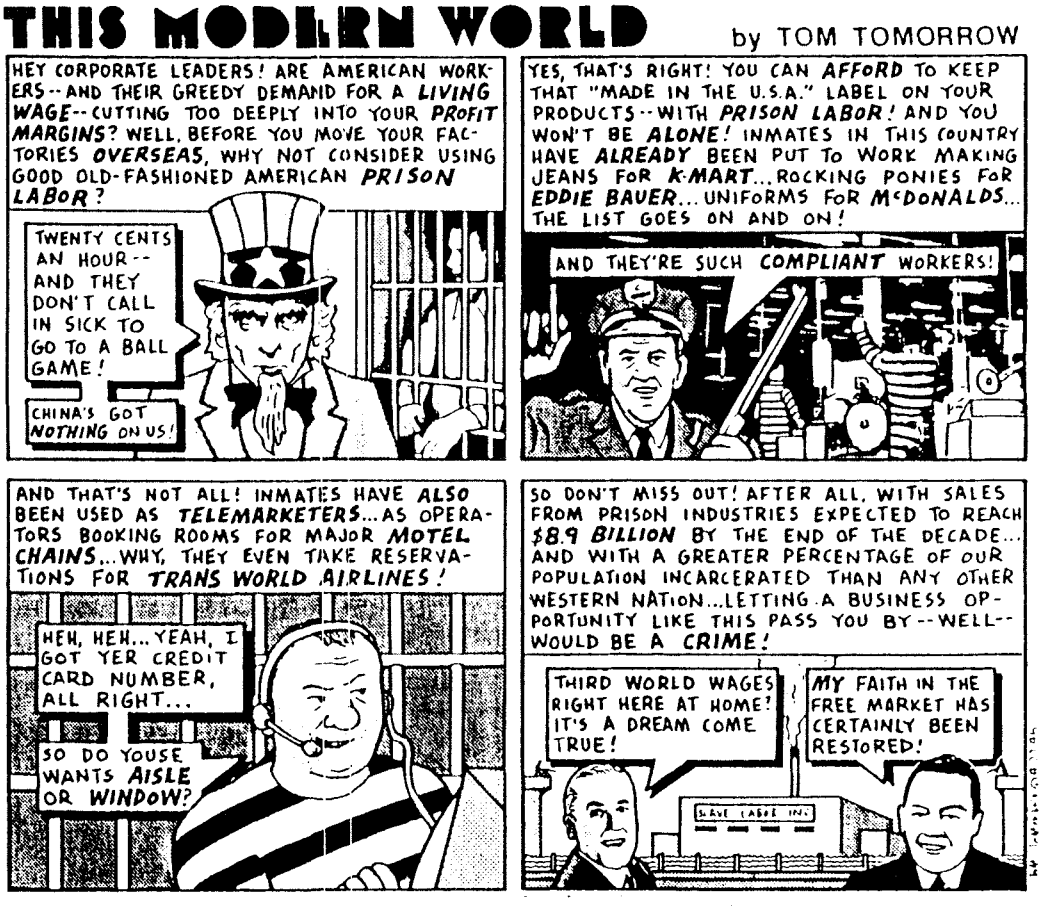
Long before the American Civil War, Richard Allen, founder of the African Methodist Episcopal Church, said, "If you love your children, if you love your country, if you love the God of love, clear your lands from slaves, burden not your children or country with them." These words again ring true today in our immigration-based and import-based economy. Immigration and job export have brought wealth to a few but have greatly damaged the economic prospects of many others, especially our children. Even jobs in the U.S. once sacrosanct from this process, such as scientific research and medicine, are open to the low bidder on a global basis. American children will not put themselves deeply into debt for a long and difficult education in the U.S. when it is possible to bring talent from the Third World to fill technically advanced positions at very low costs.

Further, any nation that believes it can hire people from other countries to do its thinking for it, no matter how cheaply they will work, is in serious trouble. America cannot abandon advanced scientific research to the low bidder from the Third World. This may work for road building, ditch digging or even simple manufacturing, but it cannot be applied to truly innovative thought in advanced scientific research which relies on communication and cooperation. We must change our current system of scientific research, based on exploitation of immigrants, and return to training Americans with a common language and the vision to carry American research into the future. TSC


THIS MODERN WORLD
by TOM TOMORROW
HEY CORPORATE LEADERS! ARE AMERICAN WORKERS--AND THEIR GREEDY DEMAND FOR A LIVING WAGE--CUTTING TOO DEEPLY INTO YOUR PROFIT MARGINS? WELL, BEFORE YOU MOVE YOUR FACTORIES OVERSEAS, WHY NOT CONSIDER USING GOOD OLD-FASHIONED AMERICAN PRISON LABOR?
TWENTY CENTS AN HOUR--AND THEY DON'T CALL IN SICK TO GO TO A BALL GAME!
CHINA'S GOT NOTHING ON US!
YES, THAT'S RIGHT! YOU CAN AFFORD TO KEEP THAT "MADE IN THE U.S.A." LABEL ON YOUR PRODUCTS--WITH PRISON LABOR! AND YOU WON'T BE ALONE! INMATES IN THIS COUNTRY HAVE ALREADY BEEN PUT TO WORK MAKING JEANS FOR K-MART...ROCKING PONIES FOR EDDIE BAUER...UNIFORMS FOR McDONALDS... THE LIST GOES ON AND ON!
AND THEY'RE SUCH COMPLIANT WORKERS!
AND THAT'S NOT ALL! INMATES HAVE ALSO BEEN USED AS TELEMARKETERS...AS OPERATORS BOOKING ROOMS FOR MAJOR MOTEL CHAINS...WHY, THEY EVEN TAKE RESERVATIONS FOR TRANS WORLD AIRLINES!
HEH, HEH...YEAH, I GOT YER CREDIT CARD NUMBER, ALL RIGHT...
SO DO YOUSE WANTS AISLE OR WINDOW?
SO DON'T MISS OUT! AFTER ALL, WITH SALES FROM PRISON INDUSTRIES EXPECTED TO REACH $8.9 BILLION BY THE END OF THE DECADE... AND WITH A GREATER PERCENTAGE OF OUR POPULATION INCARCERATED THAN ANY OTHER WESTERN NATION...LETTING A BUSINESS OPPORTUNITY LIKE THIS PASS YOU BY--WELL--WOULD BE A CRIME!
THIRD WORLD WAGES RIGHT HERE AT HOME! IT'S A DREAM COME TRUE!
MY FAITH IN THE FREE MARKET HAS CERTAINLY BEEN RESTORED!
SLAVE LABOR INC.

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Immigration's Role in the U.S. Computer Industry

Bottom line: lower salaries, other cost savings

by Norman Matloff

Americans tell their children, "If you study hard, go to college, and major in a professional field, you will have a reasonable chance for a fine career." Yet such words have a hollow ring for Cindy, a computer programmer who did all the right things and yet in 1994 found herself cast aside, unemployable, at the age of 35. (All persons identified here by only a given name or only a surname have had their names changed to protect their privacy.)

Cindy has been unable to find work as a computer programmer since being laid off by a major firm in Silicon Valley. Yet the same employers who reject her are filling their programming jobs with foreign nationals. The employers, whose public relations experts have heavily lobbied Congress against tightening of skills-based immigration policies, say that Cindy's skills are outdated.

Sharon Gadberry, president of Transitions Management/Outplacement National notes that job ads will specify five years of experience — "they usually mean no more than that." She explains that "companies are trying to screen out the older workers." A major motivation appears to be that fresh graduates are cheaper, with foreign nationals being the cheapest of all. A statistical analysis performed by the author on the 1990 Census data revealed that average salaries for foreign-born computer professionals in Silicon Valley were nearly $7,000 lower than among natives of the same age and level of education.

The industry's claim that the issue is skills, not salary, is unwarranted. Even Bill Gates of Microsoft says that general programming talent is far more important than background with a specific software technology. (See his quote in the point-by-point summary below.)

The issues here go directly to the middle class' growing feeling that the American Dream is no longer within reach. According to a November 27, 1995 poll in the *San Francisco Chronicle*, a prime worry among Californians today is that there will be no jobs for their children when they grow up. How can we implore our computer science students to study hard today, knowing that they, too, are likely to be discarded a few years from now — like Cindy? Even the foreign nationals are victims. Assuming they gain immigrant status, as is typical, then five or 10 years from now, the same "special skills" for which they are hired today will be obsolete, and then these people too will become victims of this throwaway-worker Ponzi scheme.

A quick summary of the situation is as follows.

Item: The computer industry does not need to hire large numbers of foreign nationals, either for the sake of quantity or quality:

- There is a labor surplus in the field.
- The vast majority of major technical advances made in the industry have been made by U.S. natives, not immigrants.

Item: The large number of foreign nationals being hired is due to these main factors:

- Some unscrupulous employers wish to save on salary costs, and foreign nationals, in exchange for a green card, are willing to work for lower salaries.
- Some sincere but misguided employers have placed an unwarranted emphasis on hiring people with very highly specific skill sets, thus creating an artificial labor "shortage."

Norman Matloff, Ph.D. *teaches computer science at the University of California at Davis and writes frequently on immigration issues.* *This essay is the executive summary of a lengthy report, "A Critical Look at Immigration's Role in the U.S. Computer Industry," which can be found at <heather.cs.ucdavis.edu/pub/Immigration/Index/html>. The views expressed here are those of the author, not the University of California.*

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• Some well-meaning employers wish to save on salary costs, by hiring mainly young new college graduates instead of mid-career people. When they run out of young domestic workers, they turn to young foreign workers, rather than to domestic mid-career people.

• Ethnic social networks have led to some company divisions — or in the case of small firms, entire companies — hiring almost exclusively from a certain ethnic group, such as Chinese or Indian.

In 1995 and early 1996, when Congress was considering legislation which would have tightened the laws under which U.S. employers can hire foreign nationals and sponsor them for immigration, industry lobbyists used a number of arguments in opposition. Following is a summary of those arguments, and our responses to them.

Note: Senator Alan Simpson, author of legislation to reform skills-based immigration, eventually withdrew the legislation, complaining that "I was working with the business community ... to address their concerns, [but] each time we resolved one, they became more creative, more novel. [The lobbyists] distorted everything we were up to, everything."

Industry claim: Immigrants are vital to the American computer industry's ability to maintain its technological edge.

Our response: The vast majority of technological advances in the computer field have been made by U.S. natives. This can be seen in rough form, for example, in the fact that of the 56 awards given for industrial innovation by the Association for Computing Machinery, only one recipient has been an immigrant. Of 115 U.S. recipients of computer-related awards given by the Institute of Electrical and Electronic Engineers, only nine of the recipients have been immigrants. We should definitely encourage and facilitate the immigration of those who have extraordinary talent, but most of the immigrants in the industry do not fall into this category.

Industry claim: Pages and pages of computer job ads in major newspapers prove that there is a shortage of programmers with the skills employers need. That is why employers turn to hiring foreign nationals.

Our response: Employers are over-defining these jobs, insisting that applicants have skills in X and Y and Z and W and so on. But what really counts in programming jobs is general programming talent, not experience with specific software skills. Even Bill Gates has described Microsoft hiring criteria thusly:

We're not looking for any specific knowledge because things change so fast, and it's easy to learn stuff. You've got to have an excitement about software, a certain intelligence...It's not the specific knowledge that counts."

"The vast majority of technological advances in the computer field have been made by U.S. natives."

Studies show that programmers can become productive in a new software technology in a month or so (this is confirmed by my own personal experience in 25 years of keeping up with technological change in the industry). Thus employers are (some deliberately, some unwittingly) creating an artificial labor "shortage."

Industry claim: The shortage is so acute that we have taken to placing job ads on highway billboards, even banners from airplanes flying over Silicon Valley.

Our response: As mentioned above, there is no shortage of professionals in the field. Employers receive huge numbers of resumes but only a small proportion of them result in interviews. This is hardly a picture of desperation. If there were a real shortage, employers simply could not afford to be so picky.

Industry claim: The industry needs to hire recent graduates, shunting aside many mid-career professionals, as the recent graduates are the only ones who have up-to-date skills.

Our response: As noted above, what counts is general programming talent, not highly-specific skills. New skills can be learned quickly. Many employers like the recent graduates not for their skills, but rather because they are cheaper, with foreign nationals being even cheaper still. And whether sincere or not, industry employers who follow such a policy are operating a Ponzi scheme, since software technologies change incredibly fast. If one hires young graduates because they have specific skills, they will be cast aside in a few years when those same skills become obsolete. The comments by

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employers regarding new graduates are tantamount to an admission of rampant age discrimination, as is the point made by employment agent Gadberry above. This will produce less and less incentive for young people to enter the field in the future.

Industry claim: If a mid-career programmer cannot find a job, it is his/her own fault, for not keeping his/her skills up to date.

Our response: Take for example the C++ programming language, which is a requirement for many new jobs these days. C++ is an extension of the C language which most programmers use, and is easily learned. A programmer could take a course in C++ at a local community college, or just learn it on his/her own PC at home. But no employer would hire on this basis. Except for new graduates, employers insist on actual work experience in the given skill set.

Industry claim: The computer industry pays immigrants the same as it does natives.

Our response: Sun Microsystems, for instance, has heavily lobbied Congress against reform, saying that it needs to scour the world in order to hire the best and the brightest, but it seems more interested in hiring the cheapest. It has even publicly boasted that it hired 50 programmers in Russia "at bargain prices." As was noted earlier, average salaries for foreign-born computer professionals in Silicon Valley were nearly $7,000 lower than among natives of the same age and level of education. Even greater disparities, approaching 30 percent, were found for engineering in general by UCLA Asian American Studies professor Paul Ong — a prominent immigrant advocate — who commented, "Companies took advantage of immigrants." Furthermore, by concentrating on hiring young recent graduates, even employers who give equal wages to domestic and immigrant workers are saving money, since the younger workers are cheaper. When they run out of new domestic graduates, they hire new foreign graduates, ignoring the experienced domestic workers.

Industry claim: Many jobs in the industry pay very high salaries, sometimes even paying bonuses to induce workers to accept job offers. This demonstrates that the hiring of foreign nationals is not having an adverse impact on wages for domestic workers.

Our response: As noted earlier, employers are over-defining job requirements, with ads like "Must have five years of experience writing C++ code for TCP/IP applications on SPARC platforms." The pool of programmers satisfying such conditions is of course small, thus raising salaries for those within that narrow pool. Yet as the Gates quote above illustrates, such pools are artificially narrow, since such tight job requirements are unwarranted. And as William Schroeder, CEO of Diamond Multimedia Systems has pointed out, these artificially high salaries then further increase incentives for employers to hire cheaper foreign nationals. Overall, engineering salaries have decreased relative to inflation, according to the American Association of Engineering Societies.

"Many domestic computer programmers are underemployed — working in customer interface jobs instead of programming, or in jobs which are completely unrelated to computers."

Industry claim: Unemployment among computer professionals is low, thus proving the employers' claim of a labor shortage.

Our response: People still must make a living, and thus must settle for taking whatever kind of job they can find. Many domestic computer programmers are underemployed — working in, say, computer customer interface jobs instead of programming, or in jobs which are completely unrelated to computers. Also, a number of them are forced to do temp work when they cannot find permanent jobs. Thus unemployment statistics are not very meaningful.

Industry claim: Half of the Ph.D.'s in computer science at American universities are going to foreign students, who are then hired by American employers after graduation and put into research positions.

Our response: Experts agree that America is overproducing Ph.D.'s, both foreign and domestic. These doctorate holders may well find jobs, but the jobs do not require Ph.D. training. Bill Gates of

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Microsoft does not even have a Bachelor's degree, much less a Ph.D. I have no formal training in computer science (my Ph.D. is in mathematics), and yet I have been both a software developer in industry and a computer science researcher in academe.

Industry claim: Silicon Valley employers need to hire personnel for a project immediately, so they hire foreign nationals if they cannot find domestic workers quickly.

Our response: The employers admit that most of the foreign nationals they hire are foreign students who have recently graduated from American universities. Typically the hiring is done in the middle of a semester, so the employer needs to wait several months before the foreign national starts work. Thus the industry is contradicting its own claim.

Industry claim: Not enough domestic students are studying science and mathematics in primary and secondary school, and thus we have a shortage of trained engineers and computer programmers.

Our response: It is true that the number of new graduates in these fields has fluctuated, but we have not had a shortage. SoftPac, of Austin, Texas, found that during 1990-1993 — the period of lowest production of new graduates in these fields — there were 525,000 workers trained in engineering and programming and available for work but there were only 378,000 job openings. That surplus did lead to a decline in college enrollment in these fields, but that has now reversed; enrollment in computer science was up 40 percent nationwide in 1996. (By the way, while mathematics is used in engineering, it is not used in computer programming.)

Industry claim: Given its success, the industry must know best whom to hire. Natural market forces will result in the best people being hired.

Our response: Since most employers use the same hiring policies, a poor policy does not give any of them a competitive disadvantage. Indeed, market theory seems to fail in the industry. Studies have shown that programmers who are twice as productive are paid only 10% more. Intel leads the processor-chip market by far, yet its chip is widely regarded as poorly designed, as noted in Bill Gates' famous remark that "the Intel chip is brain damaged."

Industry claim: True, there have been some abuses of laws allowing employers to hire foreign workers, but the offenders here have been small, unknown "body shops," not the big companies in the industry.

Our response: Sun Microsystems, which we noted above had boasted of hiring Russian programmers at "bargain prices," is one of the most prominent companies in the industry. Hewlett-Packard, another giant in the industry, admitted under oath in court that the cheap programmers it had imported from India were of inferior quality. General Dynamics, a prominent engineering company, hired engineers from Britain whose agents described them as being attractive due to the "indentured" (i.e. exploitable) nature of their visa status.

Industry claim: The industry already has strong disincentives against hiring foreign nationals, as the legal costs to obtain the visas are so high.

Our response: One can get approval from the Department of Labor to hire a foreign national on an H-1B visa for simply the price of the phone call made when one faxes in the application. More work is required for INS transactions, but economies of scale make this cost very low for the larger employers. Many of the smaller employers require the employee to pay the legal costs him/herself.

Industry claim: Company X employs a large number of immigrant engineers from country Y. This proves the need for immigrants.

Our response: This is a negative, not the positive point implied in the claim. It reflects networked hiring among an immigrant ethnicity, with the result that natives (as well as immigrants of the "wrong" ethnicity) are not being given access to these jobs.

Industry claim: Company Z was founded by an immigrant. This proves the need for immigrants in the industry.

Our response: The fact that a company was founded by an immigrant does not imply that if it were not for this immigrant, this sector of the industry would not exist. Again, we should facilitate the immigration of engineers of extraordinary talent, such as An Wang, founder of Wang Laboratories. But generally the immigrant entrepreneurs have not played pivotal roles in the industry's technological development. Furthermore, if foreign nationals wish to start companies in the U.S., they can do so via investors' immigrant visas; it is not necessary to have a large quota in the skilled-immigrant visa categories for this purpose. TSC

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Engineers and Scientists

Their temporary and permanent entry to the USA

by David North

When U.S. employers hire foreign-born engineers they are much more likely to hire workers with temporary visas than those with permanent status.

Workers with temporary visas, by law, are indentured to their employers. Immigrants with permanent visas are able, like U.S. citizens, to move around freely in the labor market and thus can better fend for themselves economically.

In fiscal year 1995, U.S. employers petitioned for the admission of 55,860 alien engineers with temporary (non-immigrant) visas. That was at least the eighth consecutive year that the num-ber of alien engineers with temporary visas had increased; in fact, there were almost three times as many of them in FY 1995 as there were in FY 1988. (See Table 1.)

Admission of immigrant engineers has not stirred much controversy, but there has been a vigorous debate in Congress, and in the industry, about the alleged exploitation of technical workers with temporary visas, particularly in computer programming and other engineering fields. TSC

Table 1: Admissions of engineers: immigrants and non-immigrants FYs 1988-1995

	Immigrants	Non-immigrants
1988	8,081	19,939
1989	9,520	22,522
1990	10,417	26,040
1991	10,676	35,619
1992	15,629[a]	36,826
1993	12,084	39,786
1994	10,799	43,778
1995	9,104	55,860

[a] The Immigration Act of 1990 took effect at the start of FY 1992, and it caused a surge of employment-based immigration that year because one of its provisions eased a backlog situation.

Sources: These are the hard counts of immigrants and estimates for non-immigrants based on data from the Division of Statistics, U.S. Immigration and Naturalization Service, Washington, D.C. As to the methodology used for the non-immigrant estimates, see the explanation at the bottom of Table 2.

Note: There is an unknown but significant overlap between the two columns, as people admitted as non-immigrants often convert to immigrant status several years after their arrival. Someone recorded as a non-immigrant in the 1988 data, for example, may also be recorded as an immigrant in the 1990 or 1991 data. The non-immigrants covered by this table are primarily H (temporary workers), J (exchange visitors), L (multinational corporation employees), and those admitted under the free trade agreements with Canada and (to a much lesser extent) Mexico. Neither foreign students (F-1) nor visitors for business (B-1) are included.

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Table 2. Admissions of scientists and engineers on temporary working visas, FY 1995 (estimates by occupational group and visa category)

Visa class/ occupational group	H-1B	H-2B and H-3	J-1	L-1	NFTA & TC (trade agreements)	Misc. visa classes	Totals
Engineering	27,176	732	3,061	20,766	3,621	504	55,860
Computer & Maths	8,940	24	286	1,980	2,636	49	13,915
Natural sciences	3,502	21	4,534	1,301	1,310	93	10,761
Total	39,618	777	7,881	24,047	7,567	646	80,635

Source: Estimates made by the author, based on INS admissions data (printout 614) for these visa classes; while the total number of admissions in each of these classes is a count, occupational data are collected only on a sample of those admitted. For more on the estimating techniques used, see the appendix to David S. North, *Soothing the Establishment: The Impact of Foreign-born Scientists and Engineers on America*, University Press of America, Inc., Lanham, MD, 1995.

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The American Campus:

Paying the price of induced diversity

Review/Essay by David Simcox

Immigration and Higher Education: Institutional Responses to Changing Demographics
by Maryann Jacobi Gray, Elizabeth Rolph and Elan Melamid
(Santa Monica, CA, 1996) Rand: Center for Research on Immigration Policy, 117 pages

Rand's 1996 report, *Immigration and Higher Education,* asks how the nation's colleges and universities are coping in the 1990s with the insistent policy and cultural issues accompanying their rising enrollments of immigrants.

The answer the reader distills from this study is that the proliferation of immigrants on the nation's campus has significantly magnified latent issues of public finance, group rights, intellectual rigor, diversity and balkanization, and the centrality of English in higher education — issues that now divide and confound college administrators and faculty. Rand makes it clear early on that, whatever it learns about the realities of the campus, it remains loyal to the principle of diversity as an end in itself and as an overriding imperative of American education.

Even so, the study, funded by the Andrew Mellon Foundation, is remarkably candid in findings that some might see as politically incorrect. Rand's probing reveals a surprising and healthy realism within academe about limits — the recognition of the inherent trade-offs between expanding services to immigrants and meeting the needs of disadvantaged citizens, and the explosive political potential of these issues. A striking and related finding is that campuses are increasingly sensitive to the issue of "balkanization" and are reluctant to create programs that will further divide their students.

> The Rand study on immigration and higher education, funded by the Andrew Mellon Foundation, "is remarkably candid in findings that some might see as politically incorrect."

At the same time, the study confirms that a sizable segment of university leaders plays an advocacy role for immigrant interests, even to the extent of sidestepping federal and state laws and regulations that would limit student aid or preferential tuition rates to immigrants. An example: federal rules prohibit student aid for instruction in English as a Second Language. Some university officials manage by restructuring language training to look like something else.

But the study also finds a solid consensus of skepticism among its respondents in academe on some of the received wisdom about immigrants. Many of the skeptics feel that:

- immigrants are not needier than other disadvantaged populations such as African Americans and Hispanics, who often have less network support;
- specialized access programs for immigrants are of questionable appropriateness, given the extent of similar or worse disadvantages suffered by some American students;
- special care and feeding of immigrant students risks further fragmentation of campus life and, as one administrator put it, "raises consciousness that doesn't need to be raised" in the present anti-immigration political environment.
- As immigrant enrollments grow, or other competing demands on higher education increase, today's fairly "low level" strains may intensify. Rapid growth in the college age population in immigration-magnet states, coupled with declines in funding, portend a gap between the number of

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eligibles and the number of enrollment spaces that will reduce participation rates for all groups, particularly low and middle-income students.

Background: Numbers and Study Methods

Sharing the national passion to see all immigrants as victims, the study early on states a presumption that immigrants are prone to being underserved in higher education because of the prevalence of minority status, poor English, and low incomes. Very basic census data not mentioned in the study, however, shows little evidence of victimhood for the newcomers in access to U.S. colleges and universities.

"Regrettably, no institutions in Texas were studied, allegedly because of the unique issues posed by the huge Mexican immigrant and border commuter enrollment there."

The 1990 Census showed 1.95 million foreign-born students enrolled in U.S. post-secondary schools. Some 1.5 million of them (77 percent) were in public institutions. About 1.3 million of the foreign-born students were non-citizens, with just under one million of them in publicly supported institutions.

The growth of the foreign-born population by about 5 million from 1990 to 1996, and a continued rise in the admissions of both immigrants and temporary foreign students, imply a total enrollment of non-citizens approaching 1.5 million in 1997. About 1.1 to 1.2 million are estimated to be in public institutions, at a cost to the states and some local governments of $7.5 billion to $8.0 billion, not including financial aid provided by government or by the universities themselves.

The percentage of the immigrant population attending colleges full or part-time in 1990 (9.9%) was twice that of college attendance in the native-born population (4.9%). High immigrant enrollment manifests the magnetic effect beyond our borders of a relatively low-cost, easily accessible U.S. higher education, the larger proportion of the immigrant population of college age, and the dense concentration of immigrants in California, whose community college and state university systems are the nation's most accessible.

Rand bases its findings on case studies of 14 two- and four-year institutions with large enrollments of immigrants in five states of high immigrant settlement. The sample seems small and the choice of institutions raises questions of representation. All were large — over 14,000 students, all but one were public, and five were community colleges.

Regrettably, no institutions in Texas were studied, allegedly because of the unique issues posed by the huge Mexican immigrant and border commuter enrollment there. What seem compelling reasons for studying immigration's unique effects in that state somehow became reasons for *not* studying it. Mexicans are now the largest single nationality group enrolled in U.S. universities. The study's exclusion of Texas universities may well make the problems encountered and the public costs seem less acute than they really are.

Of the 210 interviews conducted at the 14 institutions, only 27 were with students, whose immigration status was not indicated. Revealing indeed would have been a sub-sample of at least fifty interviews with U.S.-born minority and white students on their perceptions of the needs and support systems of immigrants and the universities' responsibilities to them.

Subsidizing 'Non-Permanent Resident' Students

Rand looked into the institutions' treatment of "Non-Permanent Resident Students" (an artful term for illegal aliens and asylum seekers), but declined to estimate numbers. Apparent from the interviews is an inclination among university officials to circumvent court decisions and state regulations denying residential tuition rates to non-permanent residents. Of the 13 public institutions studied, seven permitted non-permanent residents to qualify. Six did not.

Strongest advocates for the illegals and asylum seekers were the California community colleges, parts of the California State University system and, of

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course, the City University of New York (CUNY). A common approach of administrators was simply not to acknowledge the presence of illegals, or to define them out of existence. The California Community Colleges in 1992 counted only 14,000 undocumented students in 1992, out of a total enrollment of 1.5 million. The California State system in 1993 said only 500 of its 360,000 were undocumented. One California official described college officials' approach as "don't ask, don't tell."

Estimates of illegal alien enrollment are rare because most pro-immigration researchers prefer to downplay the cost issue. Urban Institute's 1994 study for the Clinton administration on the fiscal impacts of the undocumented[1] ignored the costs of higher education. Dr. Donald Huddle of Rice University estimated in 1994 that about 210,000 illegal aliens were in public higher education, at an annual cost to the public of $2.6 billion.

In general, the study shows little concern among university management about the overall public costs of U.S. academe's ministry to the newcomers. Administrators, however, did acknowledge that immigrant students required more costly, labor-intensive procedures in matters of admissions (particularly in dealing with overseas transcripts), student aid, special support, and English as a Second Language. In a note of fiscal sanity, only a few respondents admitted believing immigration should be encouraged because it keeps enrollments high.

A Major Gap: Non-Immigrant Foreign Students Omitted

Immigrants in the study were defined as those foreign-born who are permanent residents or on the track to permanent residence, such as refugees. Although now numbering nearly 500,000 nationally, foreign students on temporary "non-immigrant" visas were not considered in the study, since their needs and support systems are supposedly different.

Their exclusion reduces the study's validity as a measure of the "tensions" our universities are up against. About forty percent of non-immigrant students will ultimately settle in the United States. Many come with the intention of staying and choose their fields according to the needs of the U.S. labor market, not those back home.

Most work in the United States while studying, often in disregard of the 20-hour a week limit. Many avail themselves of affirmative action and other programs for the disadvantaged. College faculty and administrators must adjust to their language deficiencies and cultural incompatibilities no less than with green card holders.

Non-immigrant students lobby, form pressure groups, and involve themselves in U.S. politics. Reminders are the violent demonstrations of Iranian students in 1979 in several U.S. cities against U.S. support for the Shah of Iran. Latino students in California demonstrated and campaigned against Proposition 187 in 1994. Immigrant students at City University of New York, whose enrollment is 50 percent non-citizen, have demonstrated against tuition increases and city and state cut-backs in remedial education, and even against the 1996 welfare reforms.

"About 40 percent of non-immigrant students will ultimately settle in the U.S. Many come with the intention of staying and choose their fields according to the needs of the U.S. labor market, not those back home."

Many of the legal immigrants addressed in this study were once temporary non-immigrant international students. David North has documented the common progression of the foreign student from his entry as a temporary non-immigrant, through conversion to permanent residence status based on marriage or an employer's petition, to U.S. citizenship. Along the way, the foreign student, according to observers such as North, gets a subtle preference from university officials for campus jobs, assistantships, and special university aid because the non-immigrant student lacks the access of the permanent resident or citizen students to Federal student loans and full-time off-campus employment.[2]

Student Aid: Immigrants Not Deprived

One troubling irony not mentioned in Rand's report is David North's finding that for university students "the further you are from U.S. citizenship the more likely you are to secure funding from

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American sources." North's numbers show resident alien graduate students receiving an average of 18 percent more funding from federal and university sources than U.S. citizens, and non-immigrant foreign students receiving 20 percent more. The citizen student is more likely to fund his education with loans, a financial burden that often discourages advanced graduate training.

The Rand study finds tension and confusion among U.S. university administrators over such presumed disadvantages of immigrant students as access to student aid. Interviews revealed a perception of immigrant students as more aggressive than natives in securing financial aid, generally turning out first for "first come — first served" aid offerings — to the resentment of native-born students.

"Defining disadvantage primarily by racial and ethnic attributes has proved unfair even to some disadvantaged immigrant students..."

While immigrant students complain that language problems and cultural unfamiliarity impede their access to aid, college administrators note that disadvantaged U.S. students face the same impediments, but with less network and institutional support. In 1993, the National Center for Education Statistics reported Federal aid to foreign graduate and undergraduate students of $1.3 billion, about $2900 per student.

Irrational public finance incentives are part of the problem. While each immigrant student costs the public between $5000 to $10,000 a year (more in graduate and professional schools), the enrolling public universities don't feel much of those costs. Indeed, in most states the universities receive a per capita subsidy from the state for each additional student enrolled. Public universities have generally opposed "three-tier" tuition plans that would impose higher tuition on students from abroad who are not state residents than on U.S. citizen non-residents.

Disadvantaged Immigrants or Immigrants versus the Disadvantaged?

Rand's researchers find there are "pivotal, unresolved tensions facing the higher education sector" in connection with the large and diverse immigrant presence on campus. Looming large among those tensions is a complex of questions stemming from the growing campus diversity, such as entitlement of immigrants to blanket "disadvantaged" status and to special support programs, as well as the displacement of truly disadvantaged native minorities from racially-based support programs by more gifted immigrants. The study notes:

> *Displacement may occur either within or between ethnic groups. An example of the former is the possibility ... that programs designed to recruit and enroll African-American students are increasingly serving Caribbean immigrants. On some campuses special admissions programs intended to provide access for a small number of promising students whose grades or test scores fall below official criteria are increasingly servicing Asian immigrants with low verbal but high quantitative scores rather than the intended native-born students* (p.100).

Defining disadvantage primarily by racial and ethnic attributes has proved unfair even to some disadvantaged immigrant students belonging to groups presumed to be advantaged. The study found cases of underperforming Asian students excluded from special help programs because of a general presumption that Asians excelled, and of white Eastern European refugees with weak educational background turned away because they were not a racial minority. Another ambiguity is the presence, in the same group, of native-born students and immigrants with strong backgrounds.

Fragmenting the Fragmented

Academe's diagnosis of the confusion: the existing categories are too broad or inaccurately defined. The answer: create sub-groups to accommodate the many intra-race, intra-cultural differences in dispensing entitlements.

Even academic leaders interviewed recognize this approach as awkward at best, and at worst even more balkanizing. There are scores of cultures and ethnicities represented on U.S. college campuses. At some point, the study notes, the ability of the college

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to make sense of multiple categories of data and respond appropriately to each group's needs breaks down. The study does not consider the difficulties in just classifying and assigning individuals to their proper sub-groups.

Consider the possible gradations of disadvantage among students from Mexico alone: Indian, Mestizo, Caucasian? Regional origin, the backward south or advanced north? Income level, and how to certify it? If the student is Indian, does he speak Spanish or a pre-Columbian dialect? Or what about his tribal origin — Mixtec, Toltec or Tarahumaran, and the tribe's relative degree of deprivation? ... and so forth down the high road to Babel.

"...immigrants' strong commitment to family and culture puts them at odds with a central value and intent of Western education: training the student to become a critical thinking, autonomous individual."

Is English Becoming Optional in U.S. Higher Education?

The proliferation of immigrants poses what would seem to have been a well settled question: Is mastery of the English language important in "undergraduate" education? (The framing of the question apparently assumes — probably unsoundly — that mastery of English is accepted as essential in *graduate* education).

Academics are divided by the competing values of high quality educational standards on one hand and universal access on the other. A policy vacuum is the result. Relatively few faculty members are able or willing to adjust their teaching styles to the needs of students with limited English proficiency or to hold back those students who fail to overcome it. Many felt that student's language deficiencies were not their problems.

Still, respondents deplored the mixed message immigrant students are getting about writing skills. Some observed that the value of a Baccalaureate degree was degraded when students with weak language skills receive diplomas and enter the job market. But equally strong was a fear of seeming unfair, of appearing "anti-immigrant" in mandating competency tests or remedial language training for under-prepared immigrants.

Lacking firm guidance, individual professors often deal with the language problem in their own ways, by requiring their own competency tests or discouraging students with weak English from the more demanding courses. The study uncovered the case of a chemistry professor who required a "safety test" of all students enrolling in his laboratory courses. The safety test, for which he was admonished, was really a test of the students' ability to read and understand basic instructions about laboratory hazards.

English language deficiency nurtures other handicaps of immigrant students: lack of test-taking skills, awkwardness with multiple choice exams, and inability to meet the time limits on essay-type tests. Asian students often deal with these problems by choosing courses that minimize language skills, increasing their isolation in scientific fields.

Cultural Incompatibilities

Rand's respondents took note of some immigrant students' cultural *impedimenta* that make them resistant to some of the central values of western education. Among these is a preference for learning based on memorization of facts in contrast to U.S. professors' expectation of critical analysis and class participation.

Some immigrant values, such as familism and ethnocentricity, contributed to campus fragmentation. One is the gravitation toward certain specific majors, according to ethnicity. Some immigrants shun participation in extra-curricular activities because their families encourage them to restrict contacts to persons of the same culture or ethnicity.

Even in reluctantly participating in "co-curricular" affairs, immigrants are often found to select those activities that limit contact to those of the same culture or ethnicity. According to some academics, immigrants' strong commitment to family and culture puts them at odds with a central value and intent of Western education: training the student to become a critical thinking autonomous individual.

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Denial as Public Policy

Rand concludes that problems of immigrant students don't have high priority on campus. Education leaders avoid dealing with them, concerned they will engender conflict or political embarrassment. Given growing anti-immigrant sentiments, the study finds, campus efforts to address immigrant student needs are likely to lead to policies or procedures than are more restrictive — an outcome that is anathema to academe. The situation on campuses, Rand's respondents note, mirrors the "division" over immigration in American society.

The universities' response to high immigration displays a defensiveness rooted in the notion of academic autonomy, even in taxpayer-supported institutions: openly dealing with the issue, they suggest, could invite "negative publicity" and bring on the intervention of "outside policy makers."

The Rand study concludes that while immigration's strains on academe are still not a crisis, left unaddressed they are likely to increase and bring on intervention by state legislators or other outside policy makers — presumably the worst fear of university administrators.

They have reason to be concerned. Many of the very issues identified by Rand are increasingly hot nationally, partaking of current controversies over affirmative action, rising costs of public education, language unity, and shrinking voter commitment to public assistance for immigrants. The future of American education and its predominant language, the opportunities for young Americans, and the fiscal health of public institutions are simply too important to be left to academicians.

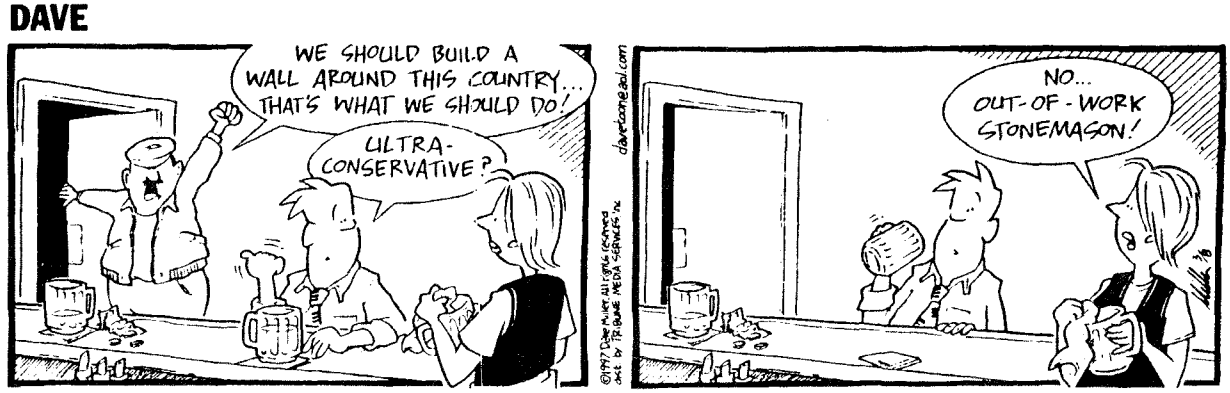
The title Rand chose for this study is revealing: it characterizes the burgeoning immigrant population as just a matter of "changing demographics," no one's responsibility really and no more subject to political management than today's weather. Universities may complain about some of the costs of diversity, but their behavior consistently confirms that they prefer the large foreign enrollments and, publicly-supported universities in particular, strive to keep it that way.

"Getting the best" is the justificatory slogan for academe's zest for high immigration. But "changing demographics" are not acts of God, they are the result of explicit political choices to act or to acquiesce. New demographics can emerge from new and different political choices. TSC

NOTES

[1] Rebecca Clark and Jeffrey Passel (1994), *Fiscal Impacts of Undocumented Aliens: Selected Estimates for Seven States,* Washington: The Urban Institute.

[2] David North (1994), *Soothing the Establishment: The Impact of Foreign-Born Scientists and Engineers on America,* Lanham, MD: University Press of America.



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Job Market Does Number On Ph.D.s in Math, Science

Joblessness is especially severe in mathematics

by John Yemma

Let "x" equal the shrinking number of job openings for high-level mathematicians, physicists, and other scientists in the United States each year.

Let "y" equal the number of new American- and foreign-born Ph.D. scientists fighting for those jobs.

As many young scientists see it, "x minus y" equals dismal hopes of ever landing a prestigious academic post.

"My situation probably won't elicit much sympathy," said Stephen Sawin, an assistant professor of mathematics at Fairfield University in Connecticut. "I have a nice job now, but I am unhappy with how things progressed for me."

At a time when overall unemployment has fallen to around 5 percent, high-level scientists have been experiencing double-digit unemployment. This does not put them in unemployment lines or soup kitchens, but it does lead to jobs for which they are overqualified.

Take Sawin, 33. He has an undergraduate degree from Princeton, a Ph.D. from Berkeley, and he spent five years doing post-doctoral work at MIT. He won a prestigious National Science Foundation fellowship, was given letters of recommendation from some of the most notable mathematicians in the field, and has a strong research and publication record.

Sawin applied for positions at research universities three years in a row, beginning in 1994 — "casually the first year, seriously the second, and really, really seriously the third." In response to about 90 applications he received only two job offers before settling on Fairfield, a liberal arts college with a few small graduate programs, where very little research goes on.

The job market Sawin thought was there when he decided to pursue pure math back in the 1980s collapsed by the 1990s. Throughout the sciences and humanities, new Ph.D.s are complaining about how difficult it is to land one of the prestigious academic posts they spent years training for.

But in science and math, the job shortage is exacerbated by the steady stream of foreign-born scientists entering the U.S.

Unlike any other employment category — where the number of foreign workers who may enter the job market each year has a strict ceiling — U.S. law allows in a virtually endless stream of foreign-born scientists and academics under what is known as the Einstein exemption.

Like American doctors, who are urging cuts in the influx of foreign medical students, many young American scientists want fewer foreign-born scientists competing with them for jobs.

"Scientists, engineers, and computer people are getting pretty mashed around" by U.S. immigration law, said former Senator Alan K. Simpson, co-author of 1990 immigration reform legislation and now a lecturer at Harvard's John F. Kennedy School of Government.

Critics of current policy say it not only discriminates against one class of Americans — scientists — but discourages young Americans from entering the sciences and may ultimately hamper the country's innovativeness.

As Sawin puts it: "The established generation of scientists hasn't grasped the effect yet — people do not want to go into a field where they scramble to find any job, with little security."

Joblessness is especially severe

John Yemma is a member of the Boston Globe *staff. This article is reprinted courtesy of the Boston Globe from their issue of March 17, 1997.*

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in mathematics, a discipline that has seen major academic cutbacks in recent years, an influx of talented mathematicians from Eastern Europe and the former Soviet Union, and a continuing increase of foreign-born talent from Asia, led by Chinese, Taiwanese, Indians and Koreans.

"I've seen what's happened with colleagues in mathematics, and it's horrible," said Goeff Davis, an assistant professor of mathematics at Dartmouth. "They are constantly having to uproot and move from one postdoctoral position to another with no prospect of permanent employment. It is very demoralizing."

Only about 1,100 new mathematics Ph.D.s are produced each year in the United States, but through much of this decade mathematicians have experienced unemployment of more than 14 percent — more than twice the rate of the overall economy.

The good news, according to the Providence-based American Mathematical Society, is that preliminary figures show math unemployment may have dipped below 10 percent by late last year. But some mathematicians suspect the numbers understate the problem, since they track only new Ph.D.s, not those who have been in the job market for a few years and have given up hope of finding a position in their chosen discipline.

The world's biggest employer of mathematicians is the National Security Agency, the super-secret encryption and code-breaking operation based at Fort Meade, Md. It has 400 to 500 mathematicians on staff, and last year it hired 50 fresh math Ph.D.s, accounting for a large part of the year's decrease in unemployment.

Some scientists trace the problem back to the mid-1970s, when the National Science Foundation warned of an impending shortage of scientists and mathematicians and urged that the United States open its borders to the best brains from around the world. That warning was reissued as recently as 1990.

"The shortage [of mathematicians and scientists] never materialized, but in the process university teachers and research scientists were classified for 'special handling' under immigration laws."

The shortage never materialized, but in the process university teachers and research scientists were classified for "special handling" under immigration laws. This meant an employer could hire a foreign scientist or teacher if it could be shown that he or she was more qualified than native workers. In other fields, (except, oddly, sheepherding, where a shortage was also believed to exist), a foreigner cannot be hired if even a minimally qualified native is available.

While the "Einstein exemption" has brought some of the brightest lights in the sciences to the United States, it has also flooded the job market.

Among scientists, the surge in foreign-born labor is of growing concern, but fear of being branded a xenophobe, or a sore loser in the job market, has made many reluctant to speak out on the subject.

"You see evidence of immigration everywhere — people from the former Soviet Union and Eastern Europe," said Donald McClure, a professor of math at Brown University.

In almost all the hard sciences — physics, math, astronomy — and even in applied sciences like engineering, 40 percent of new Ph.D.s are foreign-born, according to the National Science Foundation. More than two-thirds of these graduates stay in the United States, most already armed with permanent resident status by the time they receive their doctorates.

To some observers that isn't a bad thing.

"I'm sure a lot of other countries would like to have the problem of attracting too many brilliant people to their country," said Stuart Anderson, an immigration policy specialist at the Cato Institute, a free-market think tank in Washington, D.C.

The brain drain is a problem for other countries, said Mario Molina, MIT professor of earth, atmosphere, and planetary sciences. Molina was born in

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Mexico, is now a U.S. citizen, and won a Nobel Prize in 1995.

"It is rather obvious that a significant number of MIT professors who have excelled were foreign born," said Molina. "For most research, it is very hard to think of circumstances where there appears to be no benefit" for the country that has liberal immigration.

Columbia University economist Jagdish Bhagwati, an Indian native, describes how the influx of foreign scientists pushes bright natives into jobs in second-tier schools and in other segments of the economy, improving overall quality. Natives, he said, have more options in the wider market than foreigners. Mathematicians, for instance, are in strong demand on Wall Street.

"I'm not saying there aren't temporary adjustment problems," Bhagwati said, but almost everybody in the nation "benefits when the super-brightest people in the world see America as the place to go."

Meanwhile, a number of talented natives have to find work — people like Charles Yeomans, who received a Ph.D. in math in 1990 from the University of Kentucky and now handles the accounting network for his wife's law firm.

"I'm fairly laissez-faire on most issues, but for me individually it has been very frustrating," Yeomans said.

"Now I do math on the side. You could say I've regained amateur status." TSC

High-tech Careers

The big draw for foreign students

by Jim Specht

The high-tech companies that hire hundreds of foreign workers each year usually don't have to travel any farther than the nearest college town to find them.

"We don't really go looking for foreign scientists, just the best young graduates available," said Coeta Chambers, hiring and recruitment attorney for computer chip maker Intel Corp., which hired 300 foreign workers in 1994. "But way over 50 percent of graduate students in these fields are foreign, so its not surprising that we will find some of them among the best."

Jim Specht is a staff writer with Gannett News Service. © 1996, reprinted by permission.

For the past ten years, the number of foreign students in science and engineering doctoral programs has been growing steadily. In fact, foreigners have been awarded 54 percent of the science Ph.D.s in America since 1993.

And as more foreign students graduate from United States science programs, more of them are going to work at the universities as faculty and researchers.

A Gannett News Service computer analysis of more than one million government files found that universities are among the top recruiters for both permanent and temporary foreign workers. Three of the top five sponsors of permanent job-based immigrants over the past eight years were University of California, University of Texas and the State University of New York.

A System Out of Control

The ease with which foreign students can gain a temporary work visa and then a permanent one has federal regulators warning that the system may be out of control.

And critics worry that America will become dependent on foreigners to drive its technological edge — or worse yet, that those foreign students will take their expertise home.

In addition, many of these foreigners work in research almost entirely funded by state and federal grants and at state-funded universities.

"The American taxpayer is supporting extremely expensive research universities whose main educational purpose is to train students from abroad," David

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Goodstein, vice-provost of the California Institute of Technology wrote in *The American Scholar.*

Goodstein wrote that although Congress and the public don't seem to have noticed, "while largely ignoring our own students, we are putting our money and best talent into training our competitors."

A Small Minority on Campus

But other university officials are quick to point out that foreign students, researchers and professors still make up a small minority of the total on campus.

"We're talking about universities that have thousands of people on the payroll, and usually the foreign faculty might be in the hundreds at most," said Mike Aitken, director of government relations for the College and University Personnel Association.

The news service's analysis of Labor Department and Immigration and Naturalization Service files found that universities have sponsored more than 15,000 professors and researchers for permanent immigration since 1988. They also received Labor Department approval for more than 70,000 temporary positions lasting six years or less.

That compares with an estimated 700,000 faculty positions and 2.3 million employees overall at state colleges and universities across the country, Aitken said.

Still, those foreigners are beginning to dominate the science and engineering fields, critics say.

"Professors love these foreign graduate students and research assistants because they aren't as focused on their own futures as U.S. students, and business loves the system because they have a bigger pool to pick from," said Kevin Aylesworth, a 1989 physics Ph.D. who now works for Sen. Tom Harkin, D-Iowa. "But you wonder what we are doing to the next generation of people looking to make science a career. They see that foreign competition and they'll head for medicine or law."

A Loss to Research Programs

But some science educators warn that U.S. research programs would suffer an irreplaceable loss if foreign students were restricted from moving on to become researchers and faculty.

"Education and research is pretty much a global activity these days, and you can't restrict yourself to national boundaries if you are going to find the best people," said George Carignan, associate dean of engineering at the University of Michigan. "It's not going to do us any good if the best students in the world begin to decide to go to the University of Taiwan instead."

A team of mostly Chinese students under mechanical engineering professor Sam Wu provided the research that helped Detroit close the gap with the Japanese on automobile body design, Carignan said. A group of mostly French researchers is working at the University of Michigan on laser technology that could allow surgeons to cut one cell at a time.

The students who come to the United States are the top graduates of the top universities in their home countries, said Gagan Agawal, 26, a native of India who just completed a Ph.D. at the University of Maryland and has been hired by the computer science department at the State University of Delaware.

"I wanted to do research on some of the newest high-end [computer] systems — and the only place to do that is in the United States."

Building a Multicultural Base

Federal officials who oversee science programs say the answer is not to limit access to foreign students and researchers, but to strengthen the ability of U.S. students to compete with them — here and abroad.

"If we're honest, we have to recognize that right now foreign students are harder working, hungrier and willing to train themselves in a multicultural way. They learn about how to succeed in the United States, not just how to succeed in science," said Rep. George Brown, D-CA, the senior Democrat on the House Science Committee.

"We haven't the vaguest idea about how to succeed in the Japanese culture or the Indian culture.

"For that reason, it's imperative that we encourage many of these foreign students to become American citizens, to give us that multicultural base," Brown said. TSC

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Where It All Began

Reportage by Robert Kyser

As the preceding articles in this feature section show, there is room for anger in the specialty fields of math and science. This anger and frustration is evident on the internet where conversations about employment opportunities and the impact of immigration abound. According to information available there, in the twenty years between 1959 and 1979 — permanent visas were granted to 7,093 university professors. In only the three years 1992-1994 that number jumped to 8,563.

Some of the history that has led to the current sad state of affairs is contained in a letter written by then-President of both of the Association of American Universities (AAU) and the University of Pennsylvania, John W. Oswald, to fellow Pennsylvanian, Rep. Joshua Eilberg (see box below). Eilberg chaired the House Subcommittee on Immigration at a time when, in the wake of passage of the 1965 Immigration Act, Congress was trying to extend the preference structure and the 20,000-immigrants-per-country ceilings governing immigration from the Eastern Hemisphere to cover the Western Hemisphere. Eilberg was being lobbied by Oswald during what one contributor to the internet has characterized as "a period of deadlock in negotiations between the House and Senate Immigration Sub-committees" during which Eilberg could insert a parenthetical clause into the proposed amendment to Title 8 of the U.S. Code allowing universities the unique handling of sub-specialities as an end-run around Department of Labor categories:

> (14) *Aliens seeking to enter the United States, for the purpose of performing skilled or unskilled labor, unless the Secretary of Labor has determined and certified to the Secretary of State and the Attorney General that (A) there are not sufficient workers who are able, willing, qualified* ***(or equally qualified in the case of aliens who are members of the teaching***

Pennsylvania State University
University Park, Pa.
November 10, 1975

Hon. Joshua Eilberg
Chairman, Subcommittee on Immigration,
Citizenship, and International Law
Committee on the Judiciary
House of Representatives
Washington, D.C.

Dear Mr. Eilberg:

In my role as President of Penn State and President of the Association of American Universities, I would like to acknowledge appreciation for your continued interest and leadership in problems related to the hiring of foreign faculty by U.S. institutions of higher education. The amendment which you have proposed to Section 212 (a) (14) of the Immigration and Nationality Act is particularly helpful.

It is our judgment that insertion of the phrase "equally qualified" will greatly ease the entry of exceptionally talented and able alien faculty into American higher education. By allowing institutions to make appointments from a pool of only those candidates with a highly specialized competence, whether the candidates be foreign or domestic, you have circumvented the primary rationale for denial of labor certification: that an unlimited supply of American manpower exists whose employment prospects are being usurped by alien labor.

While we are in accord with your bill, we are still somewhat concerned about its implementation. Although your repeated efforts to persuade the Department of Labor to employ a peer review panel have been to no avail, perhaps this concept could be modified rather than abandoned. By imposing qualitative standards upon certification, your bill would eliminate the need to utilize peer review in all but a few cases, and it would presumably be sufficient to insure satisfactory resolution of most cases.

(*Continued...*)

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profession or who have exceptional ability in the sciences or the arts), *and available at the time of application for a visa and admission to the United States and at the place where the alien is to perform such skilled or unskilled labor, and (B) the employment of such aliens will not adversely affect the wages and working conditions of the workers in the United States similarly employed.* (Title 8, section 1182, U.S.C. 1976) [emphasis added].

The interesting story of how Eilberg got his bill through the House can be read at http://www.mit.edu:8001/afs/athena.mit.edu/user/e/r/erw/Public/Pandora.html. The important change for America's scientists and mathematicians is the result of what was intended to be a minor loophole through which one can now drive a truck filled with applicants. Total immigration by way of permanent visas granted in 1976 was 502,289, of which 267 were college or university teachers; in 1993, 3,452 of the 880,014 immigrants granted permanent visas were college or university teachers — an increase of 1193 percent. Could so many applicants possibly all be eligible for the "Einstein exemption"?

The situation on the nation's campuses has become so extreme that Dr. David Goodstein, Vice-Provost of California Technical Institute, himself a physicist as well as administrator, has commented:

> *The American taxpayer (both state and federal) is supporting extremely expensive research at universities whose main educational purpose is to train students from abroad. When these students finish their educations, they either stay here, taking relatively high-paying jobs that could have gone to Americans, or they go home, taking our knowledge and technology with them. ... Congress and the public don't seem yet to have noticed that, while largely ignoring our own students, we are putting our money and our best talent into training our economic competitors. Just wait until this one hits the fan.* ["Scientific Ph.D. Problems" by Dr. David Goodstein, *American Scholar*, Vol. 62, Spring 1993, pp.215-220.]

Rep. Eilberg later pleaded guilty to federal conflict of interest charges amid allegations of peddling influence to higher education at a university in Philadelphia. TSC

However, for those few cases of DOL denial which an educational institution would consider erroneous, a peer review process of very modest scope could provide a valuable appellate mechanism. We would like to propose, therefore, that language be included in the report along the following lines:

"Limited numbers of foreign faculty members on American campuses who have scarce and often unique talents continue to make critical contributions to American basic research and graduate education. The highly specialized credentials of such expert faculty, and the availability of citizens with comparable credentials, can be evaluated most accurately only by those other individuals of comparable professional stature. For this reason, and because of the very limited number of faculty involved, we recommend that peer reviewers consisting of an appropriate number of persons of specialized competence from industry, government and universities, be used on an ad hoc basis to advise the DOL when decisions on permanent labor certification are appealed to the DOL by the employing institution. A mail review procedure by selected peer reviewers should be utilized as necessary to resolve all such cases, and to advise the Department of Labor to affirm or deny the limited number of Labor certification rulings which have been appealed."

Once again we would like to thank you for your generous assistance on alien faculty certification concerns. We look forward to meeting with you in the very near future. If there is any further information which you might require, we will be happy to provide it.

Sincerely,

S/ John W. Oswald, President

[Text found in records of hearings on H.R. 367, H.R. 981, and H.R. 10323, ("Western Hemisphere Immigration") before the Subcommittee on Immigration, Citizenship, and International Law of the Committee on the Judiciary, House of Representatives, Ninety-Fourth Congress, September 25 and 30, October 9 and 29, December 11, 1975; and March 18, 1976; H521-27 page 361.]

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CEOs and Immigration

A response to T.J. Rodgers' WSJ editorial

by Perry Lorenz

California Proposition 211 would have made it easier for shareholders to sue their companies. It was strongly opposed by corporate chief executive officers who raised $35 million to oppose the proposition, and it drowned. I put the following letter out on e-mail to the CEOs of six global corporations that had lobbied the U.S. Congress against immigration reform.

Re: Proposition 211

Greetings:

The CEOs in general lobbied Congress to defeat immigration reform and reduction. Now they are asking California voters to defeat Prop 211. But where were the CEOs when the American workers at all levels needed protection against unending immigration competition?

This competition, as you know, produces a loose labor market with downward pressure on wages. It also increases job insecurity and unemployment. The CEOs manage to send American jobs overseas and import aliens to take jobs that rightfully belong to Americans.

I have to question the CEOs' loyalty to the American workers and to the American people. The CEOs oppose the protection of U.S. markets against low-wage Third World competition. Higher profits and cheaper prices cannot justify the continuing decline of real wages.

CEOs advocate global economics but not American patriotism. Even the lip-service to patriotism is rare. The fact is that CEOs are loyal "citizens" of the world but not of this country — loyal to the "bottom line" but not to our people.

It's a shame that America's CEOs , who would be successful and profitable and wealthy under any system, national or global, betray their responsibilities to the people and the nation that made their success possible. The CEOs say they move the jobs abroad and bring in immigrants to remain competitive. This is disingenuous. The CEOs have arranged with Congress the rules of competition which guarantee this result. The CEOs then plead helplessness before the competition of the market. Conveniently ignored is the fact that 80 percent of the world economy is in the industrial nations. Protecting American markets and jobs against Third World wage competition while maintaining access to 80 percent of the world market is consistent.

The biggest shame is the CEOs' role in immigration policy and the consequent conversion of a once-European America into a land of Third World people. The magnitude of this betrayal of the American people will bring suffering to our people for centuries to come.

And now you ask us to support you and oppose Proposition 211? The damage that trial lawyers do to this country is trivial to what the CEOs are doing.

— PERRY LORENZ

I received a brief reply by regular mail from T.J. Rodgers, CEO of the Cypress Semiconductor Corporation of San Jose, California:

You are dead wrong on immigration. See my attached Wall Street Journal editorial. Immigrants create jobs for native-born Americans.

Though I never met him, I hand-delivered a reply to Mr. Rodgers in which I responded to specific claims in his *Wall Street Journal* article.

Dear Mr. T.J. Rodgers:

Thank you for your response to my letter criticizing CEOs who oppose immigration reform.

Immigrants create no jobs that would not have been created by Americans if they had not been displaced by immigrants. In other words, the job of creating jobs can be done by Americans in the absence of immigrants. The Japanese do it.

Your *Wall Street Journal* editorial of March 12, 1996 said, "[W]e can't find all the skilled people we need to build our company." That may be a problem for you, but it is not a problem for America. My people,

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***Perry Lorenz** is an electrical engineer at an electronics firm in California. Formerly a libertarian, his views of the nation-state rose out of the campaign for Proposition 187 in 1994 and his realization of the displacement of the American people in California.*

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the Americans, want a tight labor market so that we can maintain and advance our standard of living in a secure job market. We want a single paycheck to do what it did in the 1960s: finance a family. We want to know that there will be a job waiting for our children when they graduate from college.

But whether the market is tight or loose, without the immigrants it would be that much tighter and it would pull Americans into skilled fields who are not now in them. Those on the bottom rungs of the job ladder get pulled up by employers who cannot find an easy immigrant alternative.

"We want a single paycheck to do what it did in the 1960s: finance a family. We want to know that there will be a job waiting for our children when they graduate from college."

We would like to believe that our country is run for the benefit of our people — not your company or any other company, especially those that are *so* proud of boasting that they are *global* and therefore *not* American companies. And "our people" does not include every foreigner who wants to move to our country. Unfortunately, the CEOs lobby Congress for the benefit of their own *global* companies, not for the American people. Some CEOs cannot distinguish the difference. Most are indifferent to America's fate except as it impacts their company. Washington is simply a game CEOs play for their own benefit. But if I'm wrong, please give me an example of a CEO who lobbied Congress in the national interest to the direct disadvantage of his own company.

Cypress Semiconductor has 230 open requisitions for employment.

America has a hundred engineering colleges turning out tens of thousands of engineers every year. According to IEEE-USA, more than 146,000 engineers lost their jobs between 1990 and 1994. If you have trouble filling your requisitions, I recommend an experienced recruiting firm to do the job. Your implicit view, that America must be transformed by tens of millions of Third Worlders who do not share our culture, so as to make hiring easier for you, is backwards.

I would suggest that you lobby colleges and high schools as vigorously as you do Congress to turn out more engineers. American students would welcome the encouragement to enter high-skilled careers. Americans can do *any* job, and can be trained in any career. I would encourage you to do your patriotic duty to build America as you build your company.

One major misconception inherent in the Simpson immigration bill is that any immigrant who takes a job in the States takes that job away from an American. That assertion does not stand up.

You say that three of your vice-presidents arrived as children and one was brought in by another company, therefore they do not displace Americans. If they left the country and you replaced them with Americans, then four Americans would have those jobs. Therefore they did replace Americans. That three of them arrived as children does not win your argument. Everybody starts life as a child! The question is whether America should be loyal to its own children, jealously guarding our precious heritage and land for their sake. Or should we open the borders and let in the aliens to remake our border states into their image? If it doesn't matter to you whether aliens or Americans work for you, if it doesn't matter to you whether aliens or Americans occupy this land, if it doesn't matter to you whether our heritage is passed on to America's descendants or the descendants of aliens, if it doesn't matter to you that our descendants are going to become a minority that must struggle to keep our ethnicity and culture alive while immersed in alien cultures and surrounded by alien peoples, then America is nothing more to you than a marketplace.

Cypress's four immigrant vice-presidents have 1,500 people working for them. These immigrants created jobs and made our company and U.S. industry stronger, not weaker.

What if the parents of these four had never met and they had not been born? Would Cypress now be operating with 1,500 fewer employees? Not likely.

MENTAL AIDS !

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American vice-presidents are fully capable of doing the job. Adding aliens to U.S. industry doesn't make it stronger — it makes it less American.

That's common here in Silicon Valley; just ask Andy Grove, the Hungarian refugee, Intel founder, and CEO of the world's largest semiconductor company.

Mr. Grove certainly deserves credit for his accomplishments. But let's not exaggerate. Had he not been born, the microprocessor would still be manufactured by one or more companies, most likely American. Inventiveness and entrepreneurial activity are very much a product of the culture, and not very dependent on any one, or even a few, individuals. Do you think the telephone would not have been invented if Alexander Graham Bell's parents had not met? The irony is that culture is our culture — American... and Western. That is the culture that should be preserved, not transformed by bringing in the Third World cultures. American culture is good enough as is. We do not need or want a CEO experimenting to see what happens if European Americans are made into a minority in our own country.

"The CEOs' objection to employment verification undermines a necessary element in the control of illegal immigration."

If we believe that letting the best and brightest into America will make all of us better off, then we should not tell them, "You can come to America, but you must leave your family behind," as does the Simpson bill.

This is misleading. I work with alien engineers. They are not "the best and the brightest" engineers. They are ordinary engineers just like the American engineers they displaced. They may be the "best and the brightest" compared to the general population of their home country, but that is not the relevant measure. This is twice-misleading since the Simpson bill did not ban the admission of the immediate family. Instead it attempted to eliminate chain migration which ultimately extends to the entire population of the sending nation.

Pat Buchanan has taken up "Jose" as a euphemism for immigrants.

Mr. Buchanan is pointing out the obvious: immigrants are not Americans and "Jose" is not an American name. But now that 20 percent of Mexicans live in the U.S. — and 50 years from now 25 percent of the U.S. population will be Latino due to CEO-approved immigration policy — "Jose" will be a very common "American" name. Mr. Buchanan is a patriot. No doubt he believes that the world would be better off if Mexico remains Mexican and America remains American. There is no doubt that the CEOs don't care what America is transformed into: Mexican, Asian, whatever.

Companies will be required to run identity verification systems that would use personalized birth certificates with a finger print... Who believes that yet another monstrous government bureaucracy would be prompt, or even accurate? (650,000 jobs a year would be denied if there were only a one percent error rate in the national employment data base.)

This too is misleading. The Simpson bill would allow the applicant to start work while verification is done and any inaccurate data is straightened out, so no jobs would be denied. You characterize the government's feeble attempt to control illegals as "monstrous." Yet verification systems are common in Europe. The entire credit card industry is a verification system that verifies that the cardholder has access to credit. It is many times bigger than the federal employment verification system would be, and it works nicely, so why try to scare your readers?

California has a bureaucracy to administer driver's licenses with thumb prints and pictures. Your reasoning would suggest that it be abolished. A bureaucracy controls over 20,000 nuclear warheads, each of which could obliterate a city. Are you worried about an unauthorized release? No, because the establishment wants warhead security and the establishment gets what it wants. If it wanted border security we would have that also. The CEOs' objection to employment verification undermines a necessary element in the control of illegal immigration. The CEOs' objection undermines our border, our laws, our sovereignty, and our nationhood.

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Today, the foreign-born population of the U.S. is about 8 percent. Immigrants add only 0.4 percent to our population each year. Is America so weak that we are hurting from this insignificant number of additions, or do demagogue politicians simply not like "Jose"?

Once again, this is extremely misleading. Because of immigration, non-Hispanic whites are a minority in the schools of California, New Mexico and Texas. European-Americans are now becoming a minority in California, and in 50 years we will be a minority in the U.S. if our current immigration policy is maintained. Yet you characterize this unprecedented and massive transformation as an "insignificant number of additions"? If the Chinese became a minority in China, would you call that insignificant? Why do all peoples of the world have a right to have a country except the Americans? America has to be given to the aliens and we have to become a minority. Why?

You can multiply your economic evidence by one million and even then it would not be worth the obliteration of the European American culture, the only one we know, the only one we want, the only one we love! I don't care how good and wonderful the Asian and Mexican cultures are. I wish them well in their home lands. America, like all nations, has a right to preserve its ethnic composition and its culture. The CEOs are leading an alien invasion and foreign occupation that any other country would repel with every soldier it could muster.

Jim Rogers, Wall Street legend and founder of the Quantum Fund, teacher of finance at Columbia University, and a regular on CNBC cable network, wrote in *Investment Biker*, "Multiculturalism — the philosophical, political, pedagogical movement — will lead to the destruction of the United States as its borders are drawn today... We think we are exempt from universal laws, but we are not. People who think they are exempt from universal laws have a moral disease called 'hubris', frequently fatal. I am not trying to be clever or outrageous; this is simply history, the way the world has been ever since we've been recording it. Separatism is a fact of history at all times of economic distress."[1]

"America, like all nations, has a right to preserve its ethnic composition and its culture. The CEOs are leading an alien invasion and foreign occupation that any other country would repel with every soldier it could muster."

And the blame for this belongs to CEOs who derailed a very modest congressional attempt at reform. TSC

[1] Jim Rogers, *Investment Biker*, Adams Publishing, Holbrook, Massachusetts, 1994, pp.303-4

I WANT TO ASSURE YOU THAT ANY RUMORS YOU'VE HEARD ARE FALSE.
WE ARE NOT PLANNING TO RELOCATE THE COMPANY TO THE SOUTH POLE WHERE EASILY TRAINABLE NATIVE ESKIMOS WILL REPLACE YOU.
THAT'S GOOD BECAUSE THERE AREN'T ANY ESKIMOS AT THE SOUTH POLE.
EXCUSE ME, I HAVE TO MAKE A PHONE CALL.
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The Endless Demand for Cheap Labor

A 70-year-old text with a contemporary ring

Editorial Introduction by Wayne Lutton

From Colonial times to the present day, there has been tension between the demands by special business and agricultural interests for cheap labor, and the desire by the vast majority of citizens for select and limited immigration. In his 1928 study, *America — Nation or Confusion?*, Edward Lewis related how big business, including big agriculture, called for practically unlimited immigration at the conclusion of World War I, despite the fact that the U.S. was in a post-war depression and there was a labor surplus. After President Coolidge signed the 1924 Immigration Act into law — which had the effect of capping legal immigration at 150,000 annually — business, ethnic, and religious lobbies immediately launched a campaign to relax the limits. This effort to flood America's labor pool continues.

We here reprint excerpts from Chapter Two of Lewis's remarkable book.

This is an excerpt from
America — Nation or Confusion? A Study of our Immigration Problems
by Edward R. Lewis
New York: Harper & Brothers, 1928
408 pages

The Quota Laws and the Demand for Labor

It has long been the assumption of the American people that immigration was a necessity for our industries, that our country would have stifled and decayed if it had not received a steady stream of immigration, and that now we will destroy our prosperity if the flow is cut off.

No more striking proof of this statement could be presented than the testimony before the Senate Committee on Immigration in January, 1921. The secretary of the Rural Land Owners' Association in Texas stated:

> *This is all I desire to say, gentlemen, that the future welfare of that section of the state is absolutely dependent upon the use of Mexican labor. If our farmers are deprived of the privilege of bringing in this Mexican labor at times when they need it, the agricultural development of that section of the country will be absolutely done for.*[1]

A business man from Miami, Florida, pleaded for negroes from the Bahamas to harvest Florida's crops. He said that Florida would be helpless without them. "They are law-abiding people. They do not sympathize with the unions. There are no radicals among them."[2]

The cigarmakers of Florida called for Cuban immigrants. Cuba, as is well known, is, like Mexico, a mixture of Spanish, negro and Indian. But we were told the country could not get along without the Cuban. He is essential to the hand-made cigar industry of the United States. Americans won't do the work.

> *It is a very difficult, hard occupation,—it is a sedentary occupation—it is very difficult for an American to accustom himself to such labor. The Cubans are of small physique and they like that kind of work because it does not require much exertion.*[3]

Congressman Hudspeth of Texas also asked that the literacy test and the proposed Johnson bill be suspended as to Mexicans. He declared that the Mexicans were needed for the beet-sugar and the cotton crops and as shepherds.[4]

A representative of the Dallas Chamber of Commerce asserted that the only supply of labor in the Southwest was the Mexican.

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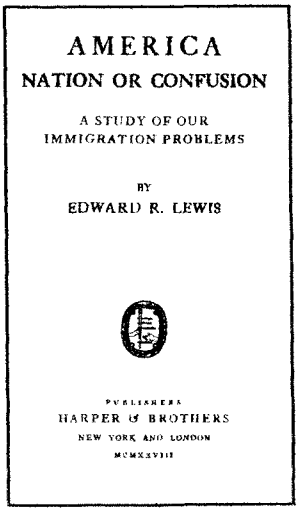
Mr. W. B. Mandeville representing the American Beet Sugar Company, added his voice to the demand for Mexican labor. He said that if "we can not have access to this surplus labor, that we need from the Mexican border to take care of our crops, I don't see how in the world it is going to be possible to take care of the beet-sugar crops of the west. It is going to be practically an impossibility."[5]



The same story went up from all over the country. The construction industry said that it could not go on without immigration to furnish its unskilled labor. Brigadier-General Marshall, general manager of the Associated General Contractors of America declared:

> *And any action that would lead to the lessening of immigration of the unskilled class of labor would seem to be directly against the interests of the country, thinking of the question not alone from the point of view of construction, but also from the point of view of agriculture.*[6]

A representative of the wholesale sash and door association of Chicago testified that:

> *We are quite largely dependent upon common labor, and have been affected by the shortage of labor during the past few years. The people of our country do not want to see the natural flow interrupted.*[7]

The implications and the necessity of the demand I will consider in a moment. But such the demand was, widespread, emphatic, almost hysterical.

The committee partly heeded it. It refused to pass the Johnson bill which would have interdicted all immigration for one year. Instead, it passed the first quota law, the quota law of 1921, limiting the immigration in any one year to 3% of the foreign-born population here in 1910, and that from any one country to 3% of the persons here in 1910 born in that country.

Yet within six months after the employers had warned the committee of a shortage of labor in this country, there was hardly a section of the land where not only skilled but common labor was not a drug on the market. As soon, however, as conditions began to improve, the demand for freer immigration returned to the charge. In February, 1922, the National Association of Manufacturers published in its magazine, *American Industries*, a symposium of replies from forty-six leading business men of the country. The overwhelming vote was opposed to the quota law.

In January, 1923, the National Canners' Association declared that "the shortage of adequate labor is a serious and growing problem in the production and conservation of perishable food products" and urged that the quota law be modified to admit "a larger number of intelligent and desirable residents of other countries who are skilled in agricultural pursuits."[8]

The President of the National Manufacturers' Association in presenting resolutions of the Association in favor of freer immigration declared:

> *Unless rough labor is to be had in the basic industries, many skilled workers cannot be utilized. Already many departments in typical industrial establishments are not operating because it is impossible to secure the common labor to perform necessary preliminary operations. The present condition, if unrelieved, will prevent necessary railroad expansion, extension and repairs, and further threaten the efficiency of our already impaired transportation service.*[9]

Mr. Thomas W. Lamont, in a speech at Chicago in 1923, declared "that the protection of labor by restrictive legislation has been overdone and has resulted in higher costs to the consumer by making labor scarce and wages higher."[10]

In 1922, the Associated Industries of Massachusetts called for a change in our immigration policy on the ground that "a growing shortage of labor was interfering with necessary production."

Mr. Elbert H. Gary, Chairman of the Board of the United States Steel Corporation, declared to his stockholders at their annual meeting in 1923:

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You are aware of the fact that in recent years, Congress has passed a law which restricts immigration. In my judgement the law as passed was one of the worst things this country has ever done for itself economically.[11]

The New York *Journal of Commerce* argued, "A certain class of worker is necessary to the progress of our industries and the present immigration law has practically eliminated this class."[12] The New York *Herald* said, "If the number of manual workers allowed to come into the United States is not increased, the country cannot go on with the digging, the road-making, the railroad construction, the building, the farming, and all the other foundational work that must underlie the whole national structure of production and business."[13]

"...it seems there is always a shortage. No matter when restriction of immigration is proposed — in 1907, in1913 when the literacy test was being pressed, in 1921 when the great depression had already started — always there is a dearth of labor."

The *New York Times* of January 3, 1923, editorially quoted the New York Board of Trade as declaring for selective immigration without regard for quota. It said that the report "hits the nail on the head when it says that 'without unskilled labor the heart-beat of our country's activities will stop.'"

In its issue of May 17, 1924, the *Literary Digest* presented a symposium of views on the proposed Johnson Quota Act, since enacted, from the foreign language press. Let one quotation suffice. The others, a great number, were all similar in tone and content.

The *Daily Svornost*, a Chicago Bohemian journal, argued:

Of what value it (the immigrant element) is to our country could best be visualized by picturing what disaster would befall all the metropolitan cities and all the large manufacturing establishments, the public utility and transportation companies, if the various national groups, including only foreign-born inhabitants and the first generation should leave this country. Practically all industry and commerce would stop and all the large cities would practically be wiped out, for there are very few Americans whose grandparents or remote ancestors came to this country, who are employed at manual labor.

Mr. William H. Barr, president of the Inter-Racial Council, said on March 22, 1923:

To what extent would this country have progressed, if during the last twenty years the admission of the foreign born had been prohibited? Who would man the mines, the iron and steel mills, and the foundries, the machine shops, the silk mills and knit good shops, the glass factories, lumber mills and other industries? Our native born workers are largely skilled workmen — as they should be — and we cannot look to them to provide the industries with the primary grades of work. We must look to the foreign born to provide the unskilled labor. If this class of labor is not forthcoming, how can the wheels of industry turn around?[14]

The above quotations give a fair and rather complete exposition of the opposition to the quota law which is based on the need for labor. This demand for cheap labor has been in the past all-conclusive. No matter what fears we might have from our pouring immigration, we quieted them when we were told the country would go to ruin without ever new levies of raw labor. At last we began to question this scare cry. Indeed, it was time that it was subjected to severe scrutiny.

Always a Shortage

The outstanding fact, however, is that it seems that there is always a shortage. No matter when restriction of immigration is proposed — in 1907, in 1913 when the literacy test was being pressed, in 1920 just before the great depression, in 1921 when the great depression had already started — always there is a dearth of labor.

On December 7, 1920, William H. Barr, President of the Inter-Racial Council, issued a statement "in which he argued against restriction of immigration, maintaining that there was no surplus of unskilled laborers in industry generally" and "that such unskilled workers as did arrive were not in

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competition with the more skilled American worker...."[15] This would seem to indicate that no Americans were unskilled workers and that competition of immigration in the field of unskilled labor was of no moment.

P. A. S. Franklin of the International Mercantile Marine Corporation declared on December 11, 1920, on returning from Europe, that any drastic restriction of immigration would be folly. "There is a shortage of labor in this country and we need every hand we can get," he said.

Yet the terrible depression of 1920-1921 was already on the country. Its first effects had been realized by December, 1920. By January, 1921, when the hearings began before the Senate Committee, the force of the blow was widely and keenly felt.

"The terrible depression of 1920-1921 was already on the country.... At the very time these witnesses were declaring that there was a shortage of unskilled labor, there were 2,500,000 men and women out of work."

The witnesses then admitted that many men were out of work, but they said, like Mr. Barr, that it was skilled labor that was idle. They asserted that there was still a shortage of unskilled labor and of course it was unskilled labor that they wanted.

At the very time these witnesses were declaring that there was a shortage of unskilled labor, there were 2,500,000 men and women out of work. Mr. W.I. King in his book, *Business Cycles,* published by the National Bureau of Economic Research, estimates that in the first three months of 1921 there were 2,404,000 fewer persons employed than in the first three months of 1920. The number employed in factories was almost two millions less in the first quarter of 1921 than it had been in the first quarter of 1920.[16] "In Jan., 1921," says the *Encyclopaedia Britannica,* "an unemployment survey made by the U.S. Employment Service for 35 states and the District of Columbia showed 9,400,000 employed in Jan. 1920 and 6,070,648 employed Jan. 1921, and estimated 3,473,446 as unemployed in the country as a whole. The greatest reduction in employment during this period was that of 82% in Michigan, 50% in Ohio and Indiana, 44% in Illinois, 43% in Connecticut, 38% in Massachusetts, 28% in New York, 32% in Wisconsin, 22% in New Jersey. In establishments studied by the U.S. Bureau of Labor Statistics, the greatest decreases between Feb., 1920, and Feb., 1921 were 44.2% in hosiery and underwear, and 4I% in automobile manufactures; the smallest decreases were 2% in bituminous coal mining and .1% in cotton manufacturing."[17]

The statistics do not show what portion of those unemployed was skilled and what portion was unskilled labor, but it is manifest that such enormous numbers of unemployment were cross-sections of society, and not from any one group. Factory labor was probably the worst hit of all, and when factories close the skilled are certainly not the only ones to suffer.

The total inaccuracy of these claims of a labor shortage made in December, 1920, and January, 1921, throws a flood of light on the whole demands for labor on the part of industry. They were crying out that there was a shortage of labor when the depression was actually on us. So insensitive were they to actual conditions that one wonders if their belief in a labor shortage is not to a great extent a complex. I believe that it is largely a complex. I believe, in short, that many of them would never agree, short of the actual overcrowding of this country, that there could be too many immigrants. For, what these men mean is that there should never be a labor shortage. The flow must never be checked in prosperous times.

An Endless Demand for Cheap Labor

The policy is vicious, secondly, because, after all, it is a policy based on a demand for cheap labor. The employers who speak of the necessity of meeting a shortage of labor, mean too often the necessity of supplying a labor demand at their own price. It is easy to impugn motives and to fall into the facile denunciations of radicals. But after reading page after page of testimony and appeals by employers, one is forced to conclude that the first concern of many seems to be the satisfaction of the present

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want for labor, and cheap labor, with little regard for the morrow.

The Southwest wants the Mexican, the Southeast the Cuban and the Bahaman negro, and there are still those who want the Japanese. A vice-president of a large manufacturing company inveighed passionately against the shortage of labor and the resultant high wages, and declared that we should let down the bars both for the Chinese and for the Japanese. Mr. Francis C. Harley, Secretary of the National Immigration Council, testified before the Senate Committee in 1921:

> *Because of the conditions that existed in the West, the big undertakings that were going on, for example, the development of our water power, the reclaiming of hundreds of millions of acres of land, in the West, we needed a great many laborers.... Our committee planned to bring in Chinese labor, for our work and our plans were going along well when the Armistice came along.*[18]

Then it was thought that the returned soldier would fill the gap and the plan was abandoned.

"The immigrant is the lowest in the scale [of wages], but soon demands the native rate, and when he does the employer calls for new immigrants at the low rate. Indeed, many of the employers appearing before the Committee who called for alien labor admitted that they had had a labor supply but had lost it, and accordingly promptly demanded that the loss be made up from alien sources."

The sober fact remains that [various ethnic immigrants] all have a lower wage scale than our native common labor. In short, it is not so much that labor cannot be found as that it cannot be found at the wage scale which it was willing to accept when it entered the country. The immigrant is the lowest in the scale, but soon demands the native rate, and when he does the employer calls for new immigrants at the low rate.

Indeed, many of the employers appearing before the Committee who called for alien labor admitted that they had had a labor supply but had lost it, and accordingly promptly demanded that the loss be made up from alien sources. The suspicion is strong that they were outbid by other markets, and consequently, bred in the old false philosophy, turned naturally to Europe for a new, cheap supply.

A successful employer of negro labor in the lumber mills of the South was more sympathetic with the negro laborer. He flatly told me that the southern plantations had lost their labor supply because they did not treat it well enough or pay it well enough and that the plantations would never get the supply back. These employers become then the first to demand that a new supply of foreign labor be brought in to replace the labor they let drift away from them.

Here, then, is the first indication that the cry for immigrant labor is endless. As long as a supply is available to take the place of native labor that demands more pay, so long will there be a cry for more immigrant labor. If the only test is whether employers are asking for more labor, the test will never fail. Save in times of great depression, they will always want more labor below the native scale. But the nature of the demands indicates more than that. It indicates that the demand will continue so long as the country is not filled up with settlers. Only when the saturation point is reached will the cry for more immigration cease. Mr. Millholland, a former inspector of immigration at New York, declared in an article in the *Forum*, printed in the proceedings of the Committee:

> *From East to West, the cry of every farmer, every contractor, and employer is for labor — labor to sow and to reap and to gather into barns; labor for the public works, the shops, and for a thousand other forms of our activity. This labor must be found somewhere.*

And he added that there was no limit now discernible to the population we could absorb. Two hundred and fifty million immigrants could settle in the South without the South "feeling the strain of

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hundred and fifty million immigrants could settle in the South without the South "feeling the strain of excessive population. Washington, Oregon, California, Idaho, Utah, Montana, and Wyoming could accommodate them all [all of India's entire 300,000,000 people] with as much land as they had at home and each state still be in a position to yell, 'Come West, young man, come West.'"[19] He said that there would be no end to the process until the country was filled up, and that we would "enter the danger zone according to Macauley's famous prediction, only when we have a population of 20,000 to the square mile"— that is 160,000,000 people. A billion people is the lowest limit most friends of free immigration will admit.

Will Americans Do Common Labor?

But the clearest proof that there is no end to this demand short of the complete filling up of the country is the constant cry that the American-born will not do common labor, and therefore a constant new supply must be added.

The easiest answer to the catch-word that Americans won't do common labor is that it is not true. If there were no foreign labor at all, there is no question but that native labor would still be doing all our work.

When we are told that the foreign-born have built our railroads and subways and bridges, we have a right to answer that the assertion appears to be of a piece with most of the arguments in defense of the immigrant, an exaltation of the immigrant at the expense of the native born. It is time to say that the native born did their share likewise — a greater share than that of the immigrant. It is time to ask where we would have been without the native born.

Likewise, to the frequent question of the free immigrationists to which they believe there is no answer, "Who would have done our common labor, who would have built our railroads, and operated our mines if it had not been for the immigrants?" the answer is simply: the native born would have done it as they did before the immigrant came and as they are doing now when not pushed aside by the immigrant. TSC

NOTES

[1] Senate Hearings, Committee on Immigration, 1921, p.123.

[2] *Ibid.*, p.41.

[3] *Ibid.*, p.50.

[4] *Ibid.*, p.62.

[5] *Ibid.*, p.119.

[6] *Ibid.*, p.259.

[7] *Ibid.*, p.266.

[8] *New York Times*, January 26, 1923.

[9] Circular dated December 28, 1922.

[10] Chicago *Tribune*, September 22, 1923.

[11] *New York Times*, April 24, 1923.

[12] Quoted *Literary Digest*, November 18, 1922.

[13] *Ibid.*

[14] *New York Times*, March 23, 1922.

[15] *New York Times*, December 8, 1920.

[16] W.I. King, *Business Cycles*, p.30.

[17] *Encyclopedia Britannica*, 12th Ed., Vol. 32, p.839.

[18] Senate Hearings, Committee on Immigration, 1921,

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Effective Enforcement of Immigration Law

It doesn't begin and end at the border

by Robert A. McGraw

To say that immigration law enforcement was merely neglected in the years prior to the Clinton Administration would be a gross understatement. For all intents and purposes each administration before 1992 applied band-aids to the most gaping holes and ignored the rest.

Clinton, to his everlasting credit, realized the "Curad plastic strip" approach would not contain the incredible surge of illegal aliens crossing the Southwest border and coming up through the Florida Strait, and bolstered the Border Patrol, a component of the Immigration and Naturalization Service, in an unprecedented fashion. We, in law enforcement, applaud his effort to address the front third of the illegal alien problem and encourage him to move forward in his second term and address the less visible two-thirds of the illegal alien problem.

***Robert A. McGraw** is a senior special agent and president of the INS division of the Federal Law Enforcement Officers Association. This essay appeared in their professional journal,* The Eighteen Eleven, *Vol. 118, No. 6, Winter 1996-97, and is reprinted by permission. Members of the association are active and retired law enforcement officers; however, interested persons may become associate members and receive the newsletter. Call (516) 368-6117.*

While attention is focused on stopping illegal immigration at the borders, Congress is failing to fund enforcement procedures in the U.S. interior.

Immigration and Naturalization, by its own estimates, projects that two illegal immigrants make it into the U.S. for every one caught. The more sophisticated illegals avoid risky border crossing by entering the United States through ports and air terminals using tourist or student visas or simply disappear into American society. A recent *USA Today* editorial, citing the INS, pointed out the net number of aliens who enter legally with a visa but overstay to become "illegal" is roughly two million, and this accounts for 52 percent of illegal aliens in the U.S. versus 48 percent who cross land borders illegally.

The job of going after the two-thirds who make it into the United States belongs to the Investigations Division of the INS, and therein lies the problem.

The special agents of INS are responsible for apprehending criminal aliens and visa overstayers, conducting immigration and document fraud investigations, combating alien smugglers, and enforcing employer sanctions. But unlike the Border Patrol, their numbers have not risen in keeping with the alien problem.

The INS Investigations Division

From 1993 to the present, there has been a 51 percent increase in INS "border control" staffing. That percentage consists primarily of uniformed INS Border Patrol agents who have jumped from 3,991 in 1993, to roughly 5,878 at present, and uniformed INS Immigration Inspectors whose numbers increased from 1,241 in 1993 to 3,887 in 1996.

The recently passed Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) of 1996 provided that the Border Patrol be increased by another 1,000 Border Patrol agents in each fiscal year until the year 2001. This is commendable. It is desperately needed. But in so doing, Congress and the administration,

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to use a metaphor, "...remembered the policemen and forgot the detectives."

Neglect of INS Investigations — the interior enforcement and anti-smuggling investigative arm of the INS — continues, and this means little or nothing is likely to improve within the following broad enforcement categories:

- **Criminal aliens** (including criminal organizations and terrorist deportation cases); fraud (including false or fraudulently obtained documents, as well as visa, asylum and marriage fraud — with an estimated 50 percent of suspected immigration fraud cases unaddressed due to resource limitations);
- **Anti-smuggling activities**;
- **Status Violator/Visa Overstayers**;
- **Maintenance of the INS Violent Gang Task Force**, which cooperates with other law enforcement agencies in dealing with alien gang-related problems in major metropolitan areas;
- **Federal Organized Crime Drug Enforcement Task Force (OCDETF)** participation; and
- **Enforcement of Employer Sanctions.**

With only 1,741 Special Agents, the Investigations Division is the only INS law enforcement presence in large interior, non-border, urban areas such as New York, Boston, Baltimore, Washington, D.C., Atlanta, St. Louis and Chicago. (Consider this: the FBI employs 1,061 Special Agents in the Greater New York City area alone, and the Capitol Police employ 1,200 persons to patrol a small area of Washington, D.C., that is measured in city blocks.)

While the increase in INS Border Patrol positions was appropriated and paid for by the Congress, the same was not true for increases for the INS Investigations Division. The addition of 1,200 special agents under the IIRAIRA of 1996, (300 visa overstayer special agents/ investigators in FY 1997; 300 anti-smuggling and employer sanctions special agents/ investigators in FY 1997, FY 1998 and FY 1999) was authorized but *not*, I repeat *not* funded by the Congress. In short, no agents at all.

"While the increase in INS Border Patrol positions was appropriated and paid for by the Congress, the same was not true for increases for the INS Investigations Division."

The Work Load is Front Page News

In 1996, a host of front page stories confirmed the fact that the INS criminal investigator's role was continuing to grow.

- INS and FBI agents arrested Basheer Nafi in Northern Virginia. Nafi is a 43-year-old Palestinian with alleged ties to the leadership of the Islamic Jihad terrorist organization. Nafi was promptly removed from the U.S. under a provision of the immigration law.
- In February [1996] the crash of a rental truck crammed with Mexican and Guatemalan aliens, in Maryland, led to the discovery of an alien-smuggling operation that had also delivered human cargo to Atlanta. Required detention of the smuggled aliens, in anticipation of prosecuting the smugglers, cost the Baltimore District of the INS roughly $120,000. Several such smuggling loads in any given fiscal year would literally deplete all current detention funds and inevitably lead to the automatic release of arrested aliens.
- In March, an INS crackdown, "Operation Mountain Passes," intercepted more than 1,200 illegal aliens who were being smuggled through Colorado.
- In May, INS agents found 34 illegal Mexicans locked in a horse trailer in a motel parking lot near Atlanta and arrested the American driver. The Mexicans, packed shoulder to shoulder, in the 8 x 20-foot trailer for three days without food or water, were being smuggled to jobs in North Georgia by an Arizona-based ring.

As is often the case with organized criminal activity, patterns of crime shift to avoid intensified enforcement efforts. As the Border Patrol intensified its efforts on the Southwest border, alien smuggling operations grew more sophisticated

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and unprecedented numbers of smuggling loads are now being intercepted each week in the nation's interior. Smuggling of human beings into the nation's heartland has become so widespread, in fact, that the mayor of Sioux City, Iowa, recently demanded the federal government take responsibility for controlling illegal immigration. Despite this, a field office like the Atlanta office of INS has only 52 agents to cover Georgia, Alabama, North Carolina and South Carolina.

Violence and Suffering Accompany the Illegal Alien Problem at Every Level

With this influx has come immigrant-based, gang-related violence. This, too, has penetrated the heartland and the fabric of American society.

• Illegal alien Armando Perez was sentenced in Sioux City for the premeditated fatal shooting of a fellow foreigner, Manuel Vallegas, despite his defense that he was intoxicated on drugs and alcohol at the time. Most of the trial witnesses were illegal aliens.

• Sioux City immigrant Wilfredo Diaz was convicted in the murder of Iowan Terry Ogden as part of a drug deal gone sour. Although charged with murder, Diaz plea-bargained the charge down to manslaughter.

• Jose Rodrigo Hernandez was shot to death in apparent retaliation for two earlier incidents: the stabbing of Clemente Reyna and a drive-by shooting in South Sioux City. All nine of those arrested in the case were members of ethnic street gangs.

After the Sioux City mayor called on the federal government to do its job, he asked INS to open a field office in Sioux City. At present INS has no enforcement presence in the entire state. According to newspaper reports, INS might find a grand total of *two* special agents in the state in early 1997.

On at least four occasions in the last two months, Campbell County [Tennessee] sheriff's deputies pulled over loads of smuggled aliens, only to be told by the nearest INS office in Memphis that there was insufficient detention money and/or agent personnel to respond.

And even with a 25 percent increase which brought the number of special agents in INS Omaha District up to 14, that staff has been unable to respond to calls from Nebraska State Patrol officers who stop illegal immigrants along the interstate. When asked about this, the District Director admitted to the *Wall Street Journal* that the State Patrol has stopped calling out of frustration. INS figures indicate that only about one-third of the illegal aliens stopped by Nebraska police since February have been taken into INS custody. Similarly, INS was unable to respond to reports of 367 smuggled aliens carried in 20 truck loads over a two-month period in Colorado.

"...unprecedented numbers of smuggling loads are now being intercepted each week in the nation's interior."

Beyond the Border

Georgetown, Delaware, is a small town which lies far from the high profile illegal invasion of Southern California. Yet the effects of that illegal immigration are being felt thousands of miles away in that Mid-Atlantic town where life-long residents are outraged over what they believe to be an overwhelming illegal alien population. INS has no enforcement presence in the state of Delaware.

In June, the *Wall Street Journal* wrote that "...immigration is becoming an issue deep in America's heartland, as legal and illegal immigrants are pulled well beyond the border areas in search of employment." The article illustrated one of the most frequently traveled routes used by alien smugglers — I-80 from the California coast through the Midwest and on to Chicago. An analysis of that route reveals the shortage of INS criminal investigators in the interior states through which that route passes. The number of special agents assigned to those states is: Nevada- 11; Utah- 6; Wyoming- 1; Nebraska- 14; and Indiana- 4.

While it is true that California and Illinois have relatively large contingents of INS special agents, even those numbers are insufficient to cope with a problem of this magnitude. The latest Census Bureau figures list 1,875,000 illegals in California or 4,630 per agent. As evidenced by the above, once you get away

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from the major metropolitan areas the agent numbers dwindle to a token few.

States with No INS Coverage at All

In fact, as of this writing, seven states have absolutely no INS enforcement presence within their borders: Delaware, Iowa, Mississippi, New Hampshire, South Carolina, South Dakota and West Virginia.

Section 134 of IIRAIRA of 1996 requires that INS will allocate a minimum of 10 full-time active duty agents in each of the 50 states. Considering that seven states have no INS Investigations presence and many other states have only a *very* limited interior enforcement presence, the INS should consider the needs of obviously "undeserved" states when fulfilling this congressional mandate.

In order to be effective, it is necessary that immigration law enforcement be comprehensive and balanced. Border control and interior enforcement are complementary functions; therefore, it is critical that both are enhanced. Since it is only possible to do more with less if there is improved command, control and coordination, Congress might also want to give serious thought to better linking of the activities of the Border Patrol with those of the Investigative Division.

INS special agents are encouraged to contact their elected officials in the Senate and House of Representatives so that the 105th Congress will finish what the Clinton administration started.

TSC

Illegal Immigrants in U.S. Now at 5 Million

by William Branigin

The number of illegal immigrants residing permanently in the United States has grown to about 5 million and is rising by 275,000 a year, the Immigration and Naturalization Service said yesterday.

In what federal officials called their most accurate calculation ever of illegal immigration, the INS estimated that this population has increased by 28 percent in the past four years alone. According to the new analysis, illegal immigrants now account for nearly 2 percent of the total U.S. population.

The new figure raised questions about the strategy of Congress and the Clinton administration to throw the great bulk of U.S. resources at the southwestern border with Mexico, in efforts to combat illegal immigration.

According to the INS study, 41 percent of the illegal resident population, or 2.1 million people, originally entered the country legally at airports and other entry points but then overstayed their temporary visas. Of the net increase in the illegal population of 275,000 a year, about 125,000 a year are visa overstayers, the INS said.

Yet, while dramatically beefing up the U.S. Border Patrol, Congress did not appropriate funds for a relatively modest addition of 300 investigators to ferret out visa overstayers inside the country.

"Congress and the administration ... remembered the policemen and forgot the detectives," complained INS special agent Robert A. McGraw in a recent article in the Federal Law Enforcement Officers Association journal. "Neglect of INS investigations ... continues, and this means little or nothing is liable to improve."

According to advocates of lower immigration levels, the new estimate of illegal immigrants also represents a failure of the 1986 immigration reform act in which Congress granted amnesty to nearly 3 million illegal

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William Branigin is a Washington Post staff writer. This article is reprinted by permission from the February 8, 1997 edition.

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aliens. The act was intended to clamp off future illegal immigration, but it failed to deal effectively with unauthorized employment and to remove the "job magnet" that draws people to this country, these advocates complain.

"The illegal population had now reached the level that it was before the 1986 amnesty," said Mark Krikorian, director of the Center for Immigration Studies. "The past ten years have essentially canceled out the entire effect of the amnesty."

"The past ten years [of immigration] have virtually canceled out the entire effect of the [1986] amnesty."

— Mark Krikorian, Director
Center for Immigration Studies

In announcing the new estimate, Robert Bach, the INS executive associate commissioner for policy and planning, described the illegal immigrant population as a problem largely "inherited" from previous administrations. He said that over the past two decades, "a lack of resources and attention allowed illegal immigration to flourish," but that the administration now has an effective "multi-year strategy" to cope with it.

"It takes awhile to turn an aircraft carrier around," he said. "We have no reason to believe the problem is getting worse. We have every reason to believe we're making significant progress." He cited record expulsions of 68,000 illegal aliens last year and said the INS expects to remove 93,000 more this year.

However, critics said the removals still fall far short of keeping up with the new arrivals of illegal aliens, much less of putting a dent in the 5 million illegal population.

In issuing its new figures, the INS revised upward its estimate of the illegal population in 1992, to 3.9 million from 3.4 million, meaning that the Clinton administration inherited nearly 80 percent of the current total, Bach said.

The illegal immigrant population is heavily concentrated in certain regions of the country, with 83 percent of the residents thought to be living in seven states, the figures show. California tops the list with 40 percent of the total, or about 2 million people, up nearly 100,000 a year since 1992. Texas accounts for 14.1% of the U.S. illegal population, and New York has 10.8%, the INS reported.

The District of Columbia has 30,000 illegal residents, or 0.6 percent of the national total, a number that has grown by 2,000 a year since 1992. Virginia has 55,000 illegal immigrants, up from 42,000 in 1992 and accounting for 1.1 percent of the U.S. total. Maryland has 44,000, with growth of 3,000 a year.

A majority of the U.S. illegal immigrant population, 2.7 million or 54 percent, came from Mexico, the INS said. The countries with the next highest shares were El Salvador, Guatemala, Canada and Haiti.

The 5 million figure does not reflect the total impact of illegal immigration on the U.S. population, since it does not include children born in the United States to illegal immigrant parents, the INS officials said. TSC

A Footnote from History:
America — The World's Population Sink?

The New York Times of December 4, 1921 quoted a statement of Sennosuke Yokata, president of the Legislative Bureau of the Japanese Cabinet: "The American territory" declared Mr. Yokata, "is vast enough for every surplus population of the world, and the countries that suffer in this way have been allowed to look to the United States as a land for the realization of the aspirations of those who seek new life and fortunes. Appreciating at the same time the generosity and the assimilating powers of the American people, I believe that America alone can solve this great problem of mankind."

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Our Illegal Population Continues to Rise

INS now puts it at 5 million

by Ken Hamblin

The Immigration and Naturalization Service has released a new report which confirms what millions of Americans have been saying for a long while — that the sovereignty of our nation is at risk from a flood of illegal immigrants who are usurping the benefits of being American citizens.

The INS report indicates that the number of illegal immigrants who live within our borders has increased to about 5 million, and is swelling by about 275,000 a year.

According to this newly released data, the illegal population has increased 28 percent in the past four years, and illegal immigrants now represent as much as 2 percent of the population.

I suggest that this new data be accepted for what it is — evidence of the implementation of liberal policies in Washington and aimed at doing away altogether with immigration restrictions, perhaps even doing away with the border between the United States and Mexico.

If that seems absurd, how else can we explain such a flagrant disregard for our immigration statutes?

"...the effort to prevent illegal immigration has been reduced to little more than a recreational game of socio-political dodgeball between would-be illegals and the sympathetic U.S. government."

The truth is that the effort to prevent illegal immigration has been reduced to little more than a recreational game of socio-political dodgeball between would-be illegals and the sympathetic U.S. government.

Rather than enforcing the law by expelling illegals, the liberals who hold sway over the INS are likely to send them — particularly those who fit into the romanticized category of the beleaguered Mexican poor — into the waiting arms of some human-rights group that entertains the notion that Mexicans still have a legal claim to the Southwestern United States.

This bizarre notion has been advanced into mainstream politics by a ragamuffin cadre of political activists.

Their stance would be humorous were it not encouraged directly by generally liberal media bemoaning the circumstances of the runaway Mexican peasants. This support is seconded by turncoat conservatives such as former Housing Secretary Jack Kemp and former Education Secretary Bill Bennett.

Kemp and Bennett contributed to this absurd extremist movement by siding with the opposition to California's Proposition 187, a 1994 referendum intended to free the state's overburdened taxpayers from footing the bill to support illegal aliens flowing across their state's borders.

At the time, according to the Urban Institute, Californians supported some 15,000 illegals in their prisons. They paid another $166.5 million annually for emergency medical care, and $1.3 billion annually to educate illegal immigrants' children.

The federal government re-

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fused to reimburse Californians for these unjust costs. Believing that they had been abandoned by the federal government and by opportunistic politicians such as Kemp and Bennett, California voters overwhelmingly voted Proposition 187 into law.

However, that victory was stolen from them when state and federal judges recently ruled that illegal immigrants could not be denied services and that their children could not be expelled from California schools.

Is it any wonder that the illegal population in the United States continues to rise?

The INS report spotlighting the ever-increasing number of illegals represents a glaring failure of the liberal Immigration Reform Act of 1986.

This grandiose plan granted amnesty to almost 3 million illegal immigrants living in the country at the time. It was supposed to be an act of compassion which, according to liberal logic, would stem the flow of Mexicans across the border from that time forward.

Once again, though, time has proven what the average American already knew and could have told the politicians in Washington: cruel as it may seem, we cannot afford compassion — the more lenient and kind-hearted we become, the more illegals Mexico flushes north for us to support.

The proof is in the pudding — or in the latest INS report to be precise.

"The illegal population has now reached the level that it was before the 1986 amnesty," says a spokesman for the Center for Immigration Studies quoted in the *Washington Post*. "The past ten years have essentially canceled out the entire effect of the amnesty."

The fact is, we don't need any new political solutions. This is a matter of law. And the American people know — even if the Washington politicians don't — that all we have to do is enforce the law. TSC

Immigration: The View from MacArthur Park

So much for secure IDs

by Don Feder

A man in a Lakers cap sold me a California driver's license.

Ira Mehlman, who runs the Los Angeles office of the Federation for American Immigration Reform, wanted to show me how easy it is for illegal immigrants to get bogus IDs. We went to MacArthur Park and drove around slowly.

A man approached. Ira said I needed a license. ("Would you like a green card, too?") We repaired to one of those passport photo places. "One hour," said my supplier.

While I waited, he ran customers in and out of the store. Most did not look like international travelers. My license — in the name of Fernando Feder (olé!) — cost $70.

It's close enough to the real thing to pass muster in most situations. With it, I could get a job, go on welfare or register to vote. Any idea how Bob Dornan lost his House seat to Loretta Sanchez last November?

"Would you like to see Tijuana next?" Ira teasingly inquired. "It's five minutes from here." Sure enough, just a few blocks from the gleaming skyscrapers of L.A.'s business district, on Broadway between First and Seventh, is a Third World enclave — store windows devoid of English signs, alien sights, sounds and faces.

Don Feder is a syndicated columnist, ©1997, Creators Syndicate. Reprinted by permission.

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In New England, immigration laps gently at our shore. In Southern California, it's tidal waves crashing on the border.

The day before my alien encounter, I met with a group of immigration reform activists. Terry Anderson is a 47-year-old black man who repairs windshields. He's lived on the same block in South Central since 1954.

"Why are we importing poor people? Why are we importing sick people? Uneducated people? Don't we have enough problems here already?"

"My neighborhood is lost," Terry claims. Two doors away from him, five immigrant families bought a two-bedroom house. "They've got chickens and goats! They hang their wash on the front fence."

Blacks are being displaced. "I know a man who was a drywaller for years. Made $15 an hour. Good at his job. The boss fires him. Says he can hire these three Mexican brothers for $5 a piece."

Anderson is bitter. "Black kids in my neighborhood are told they have to learn Spanish to work at McDonald's. Whose country is this?"

Francisco Martinez, whose family is from the Caribbean, is also black and a first-generation American. He, too, worries about immigration. "Hispanics look down on us because we were slaves. They say we don't have a culture."

Steven Gourley, the former Democratic mayor of Culver City, created a furor during the Gulf War by observing that instead of drawing a line in the sand between Iraq and Saudi Arabia, George Bush should have made that demarcation 'twixt Tijuana and San Diego.

"A few years ago, I read three articles on the problems in our schools, hospitals and prisons. Each mentioned immigration as an afterthought, but the statistics were significant." Gourley rattled them off: "Of women giving birth in L.A.'s public hospitals, two-thirds are illegals. Twenty-five percent of our prison population is illegal alien. In the L.A. Unified School District, 48 percent of all students are English-limited."

"Why are we importing poor people? Why are we importing sick people. Uneducated people? Don't we have enough problems here already?" the ex-mayor asked. I suggested that he direct his inquiries to Sen. Spencer Abraham, R-Mich., and other immigration utopians.

Barbara Coe worked 13 years for the Anaheim police department. Coe got involved with the issue in 1991 when she visited a welfare office on behalf of a crippled World War II veteran. "Of 300 people waiting for an appointment, four were Anglos. There was a line for Spanish-speakers, a line for Chinese-speakers and a line for English-speakers. Guess which was closed."

Coe became a leader of the Proposition 187 campaign. "Three days after 187 passed (since stayed by the courts), the other side held a conference at U.C.-Riverside. Brown Berets with clenched fists were shouting, 'Kill the racists' — that's us."

Her group tried to hold a demonstration at the federal building on Wilshire Boulevard last July 4. Families with children were assaulted by Hispanic activists screaming obscenities and throwing frozen soda cans. Heads were split open. No arrests were made.

Anderson quotes a Mexican in his neighborhood, each of whose eight children was born at taxpayers' expense and who is currently enjoying a whole welfare enchilada, "America is the stupidest place imaginable" — an assessment difficult to dispute.

"This is the destruction of the United States," Martinez laments. MacArthur Park isn't all that's melting in the dark — as well as the light of day. TSC

Israel's government plans to consider deporting tens of thousands of foreign workers and offering their jobs back to Palestinians, a Jerusalem newspaper reported. An estimated 300,000 Asians, Africans, South Americans, and Eastern Europeans began arriving three years ago to fill jobs previously held by Palestinians now barred from working in Israel because of terrorist attacks. A Palestine Authority official welcomed the proposal.

— *The Christian Science Monitor*, January 22, 1997

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How Should the GOP Handle Immigration?

A *WSJ* column by Paul Gigot and a letter-to-the-editor response by John Tanton

Who says the last election changed nothing in Washington? Try telling that to the conservatives now denouncing fellow conservative Spence Abraham for daring to rescue Republicans from themselves on immigration.

Mr. Abraham, an upstart first-termer from Michigan, has committed the sin of becoming chairman of the Senate's immigration subcommittee. This is more dangerous than it sounds. He replaces Alan Simpson, now retired, in what could be the biggest policy shift since Madonna became a mother. Mr. Abraham is courting the wrath of the anti-immigration lobby, which thought it had captured the GOP.

And at least in the last Congress, it had — to the great joy of Democrats. With the help of Texas Rep. Lamar Smith and a boost from Pitchfork Pat Buchanan, Mr. Simpson succeeded in persuading the country that Republicans had become the anti-immigration party. Harass businesses, issue identity cards, bar education to alien six-year-olds: this became the optimistic message of what was once Ronald Reagan's party. Hispanic- and Asian-Americans rewarded the GOP by voting for Democrats in historic proportions last November.

Enter Mr. Abraham, who wants to restore some Ellis Island perspective to the immigration fight. "The debate over the last few years has been about what's wrong with immigration," says this grandson of Lebanese immigrants. "We shouldn't do anything more about legal immigration until we have a fuller debate on the benefits of immigration."

The senator got a taste of the politics of this message, pro and con, when he took it to Silicon Valley last week. At Cypress Semiconductor, he met high-tech entrepreneurs — from Sun Microsystems, 3Com, Cisco — who told him they need immigrants in America to compete around the world. Cypress chief T.J. Rodgers, who said 40 percent of his top management is foreign-born, hailed the senator as "a hero of freedom."

Outside, however, Mr. Abraham was denounced in a demonstration promoted by the Federation for American Immigration Reform. FAIR's idea of "reform" is to stop immigration just about cold. Its 90 or so picketers carried such inspirational signs as "Close the Border," "Drug Cartel" and "Immigrants Smuggle Drugs," as if Mexico is responsible for more American kids using marijuana.

FAIR might be ignorable, except that its arguments are beginning to echo in the mainstream conservative media. *National Review* magazine now writes as if Mr. Abraham is a greater threat to its principles than is Ted Kennedy. Its latest broadside advertises a threat by John Tanton, a Michigan ophthalmologist who is FAIR'S chairman, that the senator will "face a single-issue anti-immigration candidate" when he runs for re-election in 2000.

This is bizarre, because Dr. Tanton is the kind of zero-population-growth zealot that conservatives used to mock. His views have their roots in the limits-to-growth environmental *left*. A friend who's seen him on National Empowerment Tele-

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***Paul Gigot** is a columnist with* The Wall Street Journal. *This column appeared in their January 24, 1997 edition and is reprinted by permission. © 1997, Dow Jones & Company, Inc. All rights reserved.*

***John Tanton** is the editor and publisher of* The Social Contract *and the founder and current chairman of the Federation for American Immigration Reform (FAIR). His letter to the editors of WSJ appeared in their February 5, 1997 edition.*

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vision, a conservative TV network, says Dr. Tanton takes out a metronome to illustrate the frightening thought that more people are born every day than are dying. Dr. Tanton adds that Thomas Malthus, whose name now defines human pessimism, was "much misunderstood."

National Review's editors seem to believe that it's better politics to be allied with neo-Malthusians instead of fast-growing businesses and their workers. As *Journal* Editor Robert Bartley once quipped, NR wants Republicans to ban immigrants but legalize drugs.

The good news is that this advice is so bad that even Republicans won't take it. November's election results have hurt the anti-immigration crowd in GOP councils. House and Senate leaders have put any further attempts to shrink legal immigration on indefinite hold. This may explain why restrictionist Arizona Sen. Jon Kyl turned down the immigration chair despite his greater seniority. This opened the slot for Mr. Abraham, whose GOP Senate allies on the subject include Ohio's Mike DeWine and Phil Gramm of Texas.

"I'm not trying to badmouth the other side," says Mr. Abraham, "but they've had the chance to make their case." He wants the public to understand that 12 percent of the *Inc. Magazine* list of 500 fast-growing companies were started by immigrants; that more than 40 percent of U.S. engineering Ph.D.s are foreign-born, filling a great need; and that parts of cities such as New York have been revitalized by immigrants.

This doesn't mean he's a libertarian on the subject. He opposes illegals, as well as foreigners who arrive with the main purpose of getting on the dole. "Immigration yes, welfare no," he says. This jives with scholar Peter Salin's argument, in the January issue of *Commentary*, that the country's problem isn't the number of immigrants but the fact that we haven't focused enough on their assimilation. Welfare makes it harder to assimilate into the working, English-speaking American mainstream.

But Mr. Abraham's broader political point is that the GOP's anti-immigrationists have sent voters a cramped, pessimistic message better suited to the declining nations of Europe. Ronald Reagan celebrated immigration because he knew it resonated with the American sense of possibility. As usual, the Gipper had it right.

John Tanton Replies:

Paul Gigot is obviously emotional about immigration ("Getting the GOP Back to Reagan on Immigration," January 24, 1997). Contrary to the "environmental left" image he portrayed, I am interested in the environment, but in Teddy Roosevelt's tradition, when we conservatives were conservationists. I am concerned about continually growing human populations, in substantial measure because of libertarian-type worries about erosions of personal liberty this will surely bring. A good way to assure an I.D. card in our future is to double our population ... as current immigration practices will do.

I am also one of the 72 percent of Americans whom the December 13 *Wall Street Journal* poll found in favor of reduced immigration. Perhaps unelected columnist Gigot can pass over this overwhelming majority, but an elected freshman politician ignores it at his peril, especially one in Michigan, with its substantial working class and Democratic electorate. Thus I told the *National Review* that if Senator Spence Abraham persists in his mass migration course he will surely face substantial and focused opposition on the issue in 2000.

Senator Abraham favors a "fuller debate on the benefits of immigration." The debate should be on the costs and benefits, just as corporate balance sheet analysis should look at debits as well as credits, expenses as well as income.

If Senator Abraham sponsors a thorough and fair-minded review of immigration, we will cooperate. Warning: it is tough analytically; how many computer whiz kids cancel out one Sirhan Sirhan, a Sheik Omar Abdel-Rahman or — of special interest to *Journal* readers — a Charles Ponzi.

Michigan gave birth to the Republican Party in 1854. With Senator Abraham as the standard-bearer, the Great Lakes state may be the party's burial place as well. TSC

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Needed: Better Training Not More Immigrants

Do we not have the right to regulate our borders?

by William F. Buckley, Jr.

If seniority were binding, the new chairman of the Senate's immigration subcommittee would be Jon Kyl of Arizona, who, however, turned it down, ceding to Spencer Abraham of Michigan.

Why did Kyl turn it down? Because Arizona has a very long, porous border with Mexico, and the Hispanic vote in the state is correspondingly weightier. Sen. Abraham is from far-off Michigan, and whatever he says about immigration will be unnoticeable at the polls unless Michigan annexes Ontario. Meanwhile, Abraham is fleetingly a hero of the full-house immigration lobby (the more immigrants the merrier).

The splendid Paul Gigot of *The Wall Street Journal* has got a bit of this free-market-on-immigration bug and, in celebrating the turn of events in the Senate, parlayed a couple of eye-catching illustrations of his point into grand immigration policy postulates.

He tells us that at Cypress Semiconductor, a Silicon Valley princedom, he learned that 40 percent of Cypress' management is foreign-born. If the reader thought this an isolated phenomenon, hang on, Gigot is just warming up: We are advised that more than 40 percent of U.S. engineering Ph.D.s are foreign-born.

Goodness! On the other hand, if 40 percent of U.S. engineers are foreign-born, why should we be surprised that Cypress' top management is 40 percent foreign-born? Surely the arresting disclosure here is how (apparently) few Americans are trained to build advanced-degree bridges.

Why is that? Where else is America professionally laggard? Do we need immigrants to teach us ecology? To occupy posts as police chiefs? Senators? Editors? Columnists?

The Ellis Island cultists resist plainspoken reasoning:

1. The United States is greatly desired as a homeland by millions of people whose countries are less free, and where opportunity is less bright.

2. The idea of totally open borders — anybody who wants to come on in — is the stuff of libertarian fancy, nice for tone poems by such as Ayn Rand, but not very good national policy.

3. At various points in history we have opened, and then gently closed, our borders, pending economic and social assimilation. If there is dogged unemployment, there is no manifest need for labor. If pockets of immigrants are resisting the assimilation that over generations has been the solvent of American citizenship, then energies should go to accosting multiculturalism, rather than encouraging its increase.

4. Intelligent immigration policy obviously authorizes one more Einstein for Cypress Semiconductor and one less welfare immigrant simply because he is second cousin of the uncle who got in last week.

The free-market purists spend very little time worrying about illegal immigration, in part because they don't think any immigration should be illegal, a commitment that lightens their thinking lives but at some cost to brainpower.

Gigot criticizes the editors of *National Review* for calling for immigration reform and declares that any such move disrespects the program and the mystique of Ronald Reagan, the great optimist. Ronald Reagan in 1981 backed severe punishment for Americans who hired illegal aliens. In 1986 he signed a bill granting amnesty to illegal aliens but imposing fines to discourage further illegal immigration.

William F. Buckley, Jr. *is the founder of* National Review *magazine.* *© 1997 Universal Press Syndicate. Reprinted by permission.*

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There is a case to be made for reducing legal immigration pending some rectification of the multiculturalist problem. But that in turn is difficult to face because such reforms as English-only become a political hassle. And it really discourages intelligent discourse to inject into the conversation such objections as: Would you have opposed a visa for Albert Einstein?

Then there is the primary question: Do we or do we not have the right to regulate passage over our own borders? If the answer is in the affirmative, then regulated immigration is nothing more than parsing the rights of a sovereign state.

It isn't that the Wall Street Journal libertarians are saying that there is no point in trying to enforce unenforceable laws — they are all in favor of continuing to put a marijuana smoker in jail. A pity that they can't iron out this wrinkle in their otherwise lily-pure complexion. TSC

It's A Wonderful Life!

Gigot says we must be optimists at all costs

by David G. Payne

Do you know the difference between an optimist and a pessimist? A pessimist is better informed.
—CLARE BOOTHE LUCE

Paul Gigot has outdone himself. He has written an article in *The Wall Street Journal* that could very well become a classic — a classic, that is, of twisted logic that attempts, by means of vague and faulty argumentation, along with various superficial rhetorical techniques, to show that the Republicans have erred in their move toward immigration control. Senator Spence Abraham (R-MI), chairman of the Judiciary Committee's immigration subcommittee, is held up as the knight in shining armor who is attempting to rescue Republicans from themselves. I can't let this pass. It's just too juicy.

First, let's look at the big picture. The overall gist of Gigot's article is captured in its title, "Getting the GOP Back to Reagan on Immigration." Here are the two arguments in a nutshell:

(1) Political positions that resonate with optimism are preferable to those that do not.

(2A) The anti-immigration position does not resonate with optimism.

(C1) Therefore, the anti-immigration position is not the preferable position.

(1) Political positions that resonate with optimism are preferable to those that do not.

(2B) Ronald Reagan's position on immigration resonated with optimism.

(C2) Therefore, Ronald Reagan's position is preferable to other positions.

Premise (1), which is the basis of both arguments, is unstated but clearly implied within Gigot's article. I will return to it in a moment. Premise (2A) is shown when Gigot tells us that "the GOP's anti-immigrationists have sent voters a cramped, pessimistic message better suited to the declining nations of Europe." Hence, the anti-immigrationist message does not resonate with optimism. In the second argument, premise (2B) is shown when Gigot tells us that "Ronald Reagan celebrated immigration because he knew it resonated with the American sense of possibility. As usual, the Gipper had it right." Hence, its optimism. The "because" in this quote also gives us the clue to the implied premise. It is just *because* it resonated with optimism that Ronald Reagan celebrated it.

There is nothing wrong with the logical structure of these arguments; that is, as I have set them up, the conclusions follow logically from their premises. It is the premises themselves that are suspect, and to these we must now turn.

The problems arise with the terms "optimism"

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and "pessimism." Any complex situation is deemed to be optimistic or pessimistic based upon certain features within the position that are underscored accordingly. This makes optimism and pessimism notoriously subjective characteristics since the features that are underscored at any particular time are completely up to each individual. Thus, the same situation, viewed from different perspectives, might be labeled both optimistic and pessimistic, respectively. I happen to think, for example, that the anti-immigration position *does* resonate with optimism and that the pro-immigrationist position *exudes* pessimism. But what do I know? And that's the question. Given the subjective nature of optimism and pessimism, who is to say which is which? Gigot has an answer—he has found a touchstone to reality: Ronald Reagan.[1]

"Republicans and Democrats, conservatives and liberals alike should recognize that the advice given by Paul Gigot here boils down to a disregard for the facts of the situation."

Over and above any other problem, then, we have what seems to be an appeal to inappropriate authority (*argumentum ad vericundiam*). Why is Ronald Reagan an authority on what is optimistic? This is like saying that Ronald Reagan likes jellybeans, therefore jellybeans are the preferable snack food for all Americans. Optimism, like the taste of jellybeans, is a completely subjective psychological state, as is pessimism. Or maybe there is a hasty generalization here: Ronald Reagan is optimistic about immigration, therefore we should all be optimistic about immigration. Whatever fallacy you see, they are all generated from the subjectivity of the words "optimism" and "pessimism."

There is a more serious problem at the heart of Gigot's arguments, though, for they turn on a kind of schmaltzy if-you-believe-with-all-your-might-that-something-will-come-true-then-it-*will*-come-true kind of idea. This is made insidious by painting it in patriotic colors and turning it into an American ideal. All hail to optimism and Norman Vincent Peale! I have no beef with it or him as far as that goes. All things being equal, it is better to be optimistic in a bad situation than pessimistic, but that should not become a blinder in the face of stark reality. Optimism in the face of overwhelming odds may make you more gleeful in your demise, but if the odds are truly overwhelming you will nonetheless be crushed, albeit with a smile on your face. This because, despite the power of positive thinking, it can only accomplish so much. The skipper of the ship of state confronted with mine-infested waters, although supremely optimistic in his abilities to steer the ship safely through, should not think that, simply because of his optimism, he can disregard the mines. Yet this, according to Gigot, is Abraham's broader political point.

If I were Abraham, and Paul Gigot attributed to me such a trite and trivial viewpoint, claiming such to be my "broader political point" on immigration or any other issue, my only response would be to say: "Paul who?" For who (I was going to say "in their right mind," but I don't want to beg the question) would wish to be saddled with a position that dictates we should put our heads firmly in the sand and disregard all problems with a position simply because we don't want to be labeled pessimistic? Republicans and Democrats, conservatives and liberals alike should recognize that the advice given by Gigot here boils down to a disregard for the facts of a situation. Even if you are convinced that immigration is overall beneficial to America, it would be foolish not to seriously consider the obvious problems it brings — yes, even if they call you a pessimist.

Case in point: Malthus.[2] The overall point of the neo-Malthusian viewpoint is that we should take a hard look at whether or not we will be able to feed the burgeoning population of the world in the future, i.e., whether or not we can avoid the misery and vice that Malthus thought would accompany rampant overpopulation. Even if you believe that famine and starvation will never occur due to overpopulation, is it wise to refuse to think about the possibility? Yet Gigot dismisses Malthus by saying that his name "now defines human pessimism." At least Gigot is consistent — he practices what he preaches. But those who are supremely optimistic about

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technology's ability to avoid the fate of mass starvation in the future should realize that it is only consciousness of the possibility of that bleak future that gives us incentive to find ways to avoid it. But on Gigot's advice, we should not be so pessimistic as to even consider such things.

Imagine, if you will, the members of the first Congress discussing someone's proposal to attach a bill of rights to the constitution in order to insure that the government cannot run rough shod over the individual. The response to the proposal is disdain: what a pessimistic view of mankind! To think that anyone would ever deign to tread on our rights. And because no one wanted to be labeled a pessimist, the discussion was dropped and no bill of rights was eventually adopted.

I say: blessed are the pessimists of the world, for they are the ones looking past their own noses, disdaining the use of rose-colored glasses, and thereby helping us to avoid future evils. At the very least, a smattering of pessimism should be required of everyone. I would much rather see the leaders of the country walking around with long, gloomy faces than furiously tapping their ruby slippers and repeating desperately "There's no place like home, There's no place like home," in a futile attempt to convince themselves and others that this is and always will be the best of all possible worlds.

This brings to mind pictures of Don Quixote, bravely tilting at windmills, bringing into our language the word "quixotic" meaning "romantic without regard to practicality." Maybe what we need is a *new* word, "gigotic," which would mean "*optimistic* without regard to reality." If the new word caught on, maybe it would help push us Americans to look more closely at the policies our politicians are foisting on us in the name of patriotism and humanity. Pundits would sneer at the politicians' gigotic attempts to persuade the populace to accept absurd solutions to problems at hand. We could hope for such at least.

But I, for one, would not be overly optimistic of the results. TSC

NOTES

[1] Notice the restraint shown by this author in not jumping to the obvious *ad hominem* here, saying something like, "Scary, isn't it? Ronald Reagan as a touchstone to reality?" [Notice, too, the author's inability to restrain himself from the obvious *ad hominem* here by claiming restraint in not jumping to the obvious *ad hominem.*]

[2] Notice the restraint shown by this author in not pointing out Gigot's silly *ad hominem* remarks against Dr. Tanton. [Notice, too, the author's inability to restrain himself from pointing out Gigot's silly *ad hominem* remarks against Dr. Tanton by claiming restraint in not pointing them out.]

Australia, like Canada and the U.S., is wrongly considered an "open frontier" country with unlimited space and opportunity. Immigrant impact on the environment, infrastructure, social fabric and economy of these societies must change this perception of unlimited opportunity — especially in light of worldwide population growth and attendant pressures for migration.

A new report by Bob Birrell and Lesleyanne Hawthorne, published by Monash University in Australia, is an exhaustive 88-page study of the changing employment situation in that country for advanced-degree professionals. Detailed charts analyze census data for each of eleven fields of employment. The report concludes that there currently is a lack of "targeting" in the admissions of skilled professionals:

> "This is a serious issue since the Coalition Government has recently decided to expand the skill component, beginning in the program year 1996-97 with an expansion of the Independent program from 10,000 to 15,000 and the maintenance of a 8,000 Concessional program. As the matter stands, applicants with skills in areas like mechanical and civil engineering or school teaching have just as much chance of selection as have computing professionals. As a consequence quite large numbers of professionals continue to gain entry in clearly oversupplied occupations.... Despite the poor outlook for employment in certain engineering fields and the fierce competition for employment from local graduates, migrants continue to apply for much the same reasons identified in the 1980s, notably the long-term political and economic security offered by residence in Australia and opportunities for children."

Immigrants and the Professions in Australia is published by the Centre for Population and Urban Research, Monash University, Australia. Bob Birrell is a frequent contributor to THE SOCIAL CONTRACT. See page 215.

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GOP Strategy Suggestion

Immigration control is the real road to any Republican victory

by Samuel Francis

Newt Gingrich's long national nightmare may or may not be over, but the bad dreams of the Republican Party are just beginning. With the Speaker taken down a peg by his ethics problems and the implosion of the party's disastrous presidential ticket last year, the Republicans seem now about to enter a period of leaderlessness in which major national issues will remain undefined and undirected.

One such issue is immigration and what the majority party in Congress intends to do about it. Despite passing a major immigration bill last year, Congress is not yet through with the issue. Last year's law mainly addressed illegal immigration but said virtually nothing about its legal variety. A recent article in *Congressional Quarterly*, a major source of inside dope about Congress and its dopesters, explores this very matter.

As the article remarks, Republican leadership in reforming immigration law is crippled not only by its leadership's weakness but also by the party's natural timidity. Not only has Sen. Alan Simpson, long the main Republican leader of reform efforts, retired, but also the evolving conventional wisdom among Republicans is that legal immigration is just too hot to handle.

The *Congressional Quarterly* article pushes that very point, suggesting that "the recent election ... is not likely to help the restrictionist cause.... [Republicans] were stung by a backlash at the polls in some parts of the country" because of their support for controlling illegal immigration.

President Clinton's victories in Florida and Arizona, both strong Republican bases, with the help of the Hispanic vote, coupled with the defeat of Rep. Bob Dornan in California, are supposed to be proof positive of the dangers of immigration reform for Republicans. It's a proof that various neoconservative and libertarian stalwarts of the open borders crowd have also dredged up, to frighten Republicans away from the issue.

If the GOP doesn't drop immigration reform, the argument goes, it will face political disaster by driving the growing Hispanic bloc into the hands of the Democrats. Republicans are creatures that frighten easily, and their natural proclivity is to swallow this argument without serious scrutiny.

But with serious scrutiny the argument is not very swallowable. In the first place, the Hispanic vote has always gone mainly to the Democrats. Only the anti-communist Cuban-Americans in Florida have tended to vote Republican.

In the second place, no Republican congressman closely associated with immigration restriction was defeated last year. Reps. Lamar Smith of Texas and Elton Gallegly and Ed Royce of California were all re-elected; all are outspoken champions of cutting legal immigration. Mr. Dornan was not; he strongly supported legal immigration, and it didn't help him at all. Nor was Jack Kemp, whom the Hispanic bloc rejected despite his zeal for immigration.

Moreover, the Hispanic bloc is by and large a liberal bloc, and immigration is only one reason it votes against Republicans. Others include Republican opposition to welfare and affirmative action and support for law and order. If you listen to those who say the GOP ought to give up on the immigration issue, you might as well surrender on most other Republican issues too.

But the main reason the argument is flawed is offered by

***Samuel Francis** is a nationally syndicated columnist.* *© 1997, Tribune Media Services, reprinted by permission.*

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the *Congressional Quarterly* article itself. "National polls," it tells us, "continue to show that people are uneasy with the roughly one million people who are granted immigration visas each year. (A February Roper poll showed that 83 percent of the public thought that number was too high.)"

In fact, the Roper poll showed that among those wanting cuts, the mjaority favors virtually ending legal immigration into this country. It makes no sense at all to claim that Republicans ought to abandon efforts to reduce legal immigration because of the danger of a political backlash when more than 8 out of 10 Americans wants it reduced.

Nevertheless, Mr. Gingrich did not even mention immigration in his victory speech. The tendency of Republicans is to seize on the flawed argument against immigration control as the path of least resistance, and since their natural friends and ideological soulmates among Big Business and the open-borders lobby favor unrestricted immigration, that's the path they are likely to travel.

But the Roper poll shows the real road for Republicans, who can use immigration reform as a means of repairing their leaderless and rudderless party. They can do so, not by evading the issue, but by making immigration control a major part of their program, and they can arm themselves with the groaning shelves of studies that show the harm that uncontrolled immigration inflicts. That road may require more courage and brains than the current Republican leadership now possesses, but if they take it they could wind up with a real Republican majority in the country as well as one in Congress.

TSC

Pro-immigrationists Prefer United *Market* of America to United *States* of America

by Dan Stein

For some time there has been a growing feeling in America that government has ceased serving the interests of the people and become a wholly owned enterprise of bankers, lawyers and multinational corporate CEOs. The almost daily revelations of the shameless fund-raising practices at the White House have more than confirmed these suspicions.

The President and the Democrats are in the hot seat at the moment, but the American people have little confidence that the Republicans are any less in the pockets of the donors who helped them take and keep control of Congress. The choice of the Republican leadership to chair the Senate Immigration Subcommittee is a clear indication of where the party's loyalties lie.

According to recent polls, more than 80 percent of Americans believe that immigration to the United States is excessive and needs to be trimmed back. Among the small minority that favors high levels of immigration are those with a direct financial interest in the availability of cheap immigrant labor. When the Senate leadership appointed Senator Spencer Abraham of Michigan to chair the Immigration Subcommittee last January, they opted to side with the cheap labor interests.

Abraham has made it clear, in deed and statement, that he believes that American businesses should be able to recruit labor wherever it chooses. In his first official act as chairman, Abraham made a pilgrimage to California's Silicon Valley to assure corporate executives that the door to foreign labor

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will be kept wide open.

But it is not just skilled labor that Abraham has vowed to protect. The United States admits large numbers of poorly educated, unskilled immigrants through policies that guarantee admission to extended family members of other immigrants. After helping to defeat changes in the family-based immigration policies last year, Abraham has made it clear that any further attempts to reform these policies will never see the light of day as long as he wields the gavel.

"Washington thinks in terms of economies, markets and consumers.... The concerns of a nation and the concerns of a market are very different."

Abraham is emblematic of an emerging culture in Washington that is further alienating the political leadership from the citizens. In a city where the people's representatives have developed an incestuous relationship with lobbyists, PACs and soft money-givers, the idea of the nation has become somewhat of an anachronism. Washington thinks in terms of economies, markets and consumers. While Americans think of themselves as citizens with a stake in their nation, the prevailing culture in Washington views them as consumers and interchangeable workers who constitute a market. The concerns of a nation and the concerns of a market are very different.

The current immigration policy that Abraham has promised to preserve, protect and defend, is consistent with the philosophy of the United Market of America. The United States of America is a nation with a culture, a language and a national identity. The United Market of America has little use for such antiquated concepts. In the Market what is paramount is economic activity and corporate bottom lines. Non-economic considerations such as a sense of community, the commonweal and shared ideals are subjugated to short-term economic expedience.

What Abraham and other proponents of unfettered (legal and illegal) immigration forget is that the economy they worship depends on a stable, cohesive society. The reason the United States has a successful economy is because we have created a society in which people are not merely economic cogs in a machine, but rather citizens with a proprietary stake in the nation.

Current immigration policies are changing that. Americans increasingly see themselves as hired hands who can be replaced at any time by workers from anywhere. The sense that the people who built the nation and the economy have an unquestionable right to determine its cultural, demographic and linguistic future is rapidly evaporating as cities, and even regions, are transformed by massive settlement of immigrants.

The concept of the nation must evolve to conform with the realities of the modern global economy. But as we embrace the challenges and opportunities of the global market we cannot forget that a nation is greater than its GNP. The market-driven immigration philosophy espoused by Spencer Abraham and endorsed by the congressional leadership and the Clinton Administration is dangerous and shortsighted. Along the banks of the Potomac the blizzard of money has obscured the reality that the economy cannot exist independent of the nation. TSC

Excerpt from the 1951 California State Constitution — Re: Immigration

The Legislature shall prescribe all necessary regulations for the protection of the State, and the counties thereof, from the burdens arising from the presence of aliens who are or may become vagrants, paupers, mendicants, criminals or invalids afflicted with infectious diseases, and from aliens otherwise dangerous or detrimental to the well being or peace of the State, and to impose conditions upon which such persons may reside in the State, and provide the means and mode of their removal upon failure or refusal to comply... And the presence of foreigners ineligible to become citizens is declared to be dangerous to the well being of the State, and the Legislature shall discourage their immigration by all means within its power.

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Rudolfo Acuña

A Chicano warhorse goes to court

by Diana Hull

In November of 1990, Rudolfo Acuña, probably the fiercest advocate of *Raza* power, decided to make an upward career move. It is safe to assume that this was his motive because he denied it so emphatically, saying he had never been interested in advancement or money. When he told his wife that he had applied for a Senior Professorship in Chicano Studies at the University of California at Santa Barbara, she asked him if he was looking for a fight.[1] Seven years after that fight began, it is still going strong so events proved that she surely knew her man.

Professor Acuña had been a fighter all of his life and as a movement hero he had appropriately humble beginnings. He enjoyed explaining that his Mexican father only went to 6th grade and that his mother had no formal education. Yet he grew up to be both a teacher and a creative performer of *teatro politico*, using an imaginative script that he edited and polished over the years for its maximum effect on young people.

In front of an appreciative audience of stomping, clapping students, he was a spellbinder as he began the rhythmic MEChA chant of "Chi-can-o" "Chi-can-a." [MEChA is the acronym for *Movimiento Estudiante Chicano de Aztlan*, the Chicano Student Movement of Aztlan.] While emotions were high he would declare, "Right now you are in the Nazi United States of America. Fascism is growing and we will only get justice if we take to the streets." After wild applause he would say, "I'm proud that my parents made me a Mexican."[2]

Professor Acuña often took liberties with the literal truth. At the November, 1996, MEChA conference at the California State University at Northridge he told minority students, "You are the first immigrant group to make it in one generation from the working class to the university. Neither the Asians, the Irish nor the Jews were able to do that."[3]

He shared the spotlight with Delores Huerta, of the United Farm Workers Union, who led a chant called "Down with Wilson — Down with David Duke and Gingrich." The Republicans are fighting to keep you out of the educational system, she said, and plan to put Blacks and Chicanos in privatized prisons so the state can make money "off of" your bodies. Then CSUN Assistant Dean Juana Mora told the group that when the Cal State administration says they want students that are better in English and math, they really mean students that are "whiter."[4]

> Professor Acuña complains that Mexican citizens in the U.S. have been relegated to a "nation within a nation," yet separatism is exactly what he recommends as a solution to their problems.

MEChA members hawk the message of victimhood and seed the movement by recruiting for Chicano Studies classes. They do most of the protesting, the marching, the fasting and the taking over of university buildings. There are MEChA chapters in 90 percent of California high schools and in colleges and universities all over the nation.

The size and reach of the cult of *La Raza* (The Race) exceeds by far the wildest expectations of its 100 original organizers who met in 1969 as self-appointed representatives of "the northern and southern regions of La Alta California, Aztlan" and wrote the Chicano agenda for higher education and called it, "El Plan de Santa Barbara."[5] On the occasion of that ambitious undertaking, Corky Gonzales, founder of the Crusade for Justice,

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reminded his co-conspirators that Fidel Castro had taken a country with only 82 men.[6]

As a new subject, Chicano Studies needed to train its own teachers and write its own textbooks. Rudy Acuña's first book, *The Story of the Mexican-American,* was published when that hyphenated term was still acceptable, and in subsequent books he memorialized his own political activities. But his big success came with the publication of *Occupied America,* now in its third edition. It became the "bible" of Chicano Studies and today is Harper and Row's third best seller in their College Division. Arguments about the merits of this book would play a major role in Acuña's lawsuit against the University of California.

"With the help of grants from the Ford Foundation, this [Chicano Studies] department trained thousands of militant Chicanos..."

Professor Acuña founded the Chicano Studies Department at CalState, Northridge and spent 22 years making it the largest department of its kind in the nation with a faculty of 21 teachers, of whom 18 are tenured.

With the help of grants from the Ford Foundation, this department trained thousands of militant Chicanos who became teachers, lawyers, community organizers and activists, elected officials, and proponents of Bilingual Education and Official Spanish. Acuña claimed that one third of the academic deans in the California State system came out of his program and so did Frank Del Olmo, a Deputy Editor of the Los Angeles Times.[7]

From this doctrinaire hothouse emerged a vast, vine-like network of tens of thousands of believers and perhaps a thousand organizations[8] intent on portraying the United States as the oppressor of Chicanos, at the same time Chicano separatism was being financed — not only by the liberal foundations, but by the government itself.[9]

Inventing a new ethnic brotherhood called Chicanos was no more brazen than inventing a new religion in the manner of Joseph Smith. Raza leaders were classical mythmakers with self-righteous energy and contagious ideas. The goal of Chicano Studies was to maintain identity, language and culture in the interregnum, while Chicanos grew their numbers and trained to retake Professor Acuña's "occupied America."

Legitimacy followed respectable sponsorship and the University of California obligingly put its imprimatur on the new journal *Aztlan,* which has carried the copyright of the UC Regents from its very first issue. With official recognition and a vehicle to spread the gospel, Raza activism went national, propelled by anti-establishment sentiment in the wake of the war in Vietnam.

By 1990, the philosophical and legal groundwork was in place to push for numbers-parity for minorities in the professions and in the workplace. This was the next step after "affirmative action" and meant that public and private institutions and businesses must "look like" the racial composition of the surrounding community. Professor Acuña was quick to point out that at UC Santa Barbara, out of 700 professors, only 19 were of Mexican extraction in a city where 30 percent of the population and 60 percent of the schoolchildren were Latino.

The UC claimed it was in compliance with hiring guidelines based on the national pool of available minority candidates. But to Professor Acuña a shortage of qualified candidates was only a pretext, "betraying the deep-seated Eurocentricism used to exclude *us* from employment." He said that the professors and staff on campus were white and the gardeners and groundsmen brown, proof to him that UCSB "resembled a colony."[10] So, ten years short of retirement he made the decision to reach out for a bigger role to play and on a somewhat more prestigious stage.

The 23 colleges in the California State system take students who graduate in the upper third of their high school class. Those in the upper 10 percent are eligible to attend one of the nine-campuses of the University of California. Out of 667 professors at UC's Santa Barbara campus only 35 held the very senior Level VI professorship that Rudy Acuña had applied for. But getting that appointment was, as he expressed it, a Chicano movement issue.

After being refused the position, in June of 1991, he announced that his professional reputation had been slandered and that he was "the victim of a

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racist conspiracy."[11] He warned a Latino Alumni Regent that Chicanos would make this a high profile case[12] and notified the campus chancellor that there would be rallies "protesting the bigotry of those who passed judgment on my credentials." He sent letters to the Latino Caucus in the state legislature saying, "I will force UCSB to serve *our* community."[13]

Acuña compared the two campus committees that evaluated him to "lynch mobs" who did a "neo-McCarthy smear job" on him by deciding who is permitted to criticize Euro-American society. "What right do those groups have," he asked, "to decide what political orientation Chicano students can be exposed to?" And exactly what *would* Professor Acuña be exposing students to had he been appointed, and did the University of California have a right to decide whether or not they should give him recognition as a senior professor and a platform from which to broadcast his political credo?

The central thesis of Acuña's capstone work, *Occupied America*, is that the southwestern United States, including California, is actually northern Mexico, making U.S. jurisdiction illegitimate. The conquest of this territory has created what Acuña calls a "colonial situation in the traditional sense." And since racism is at the heart of colonialism and since the U.S. "colonized" Mexico, this was more than a war, he wrote in *Occupied America*, it was "racist aggression."[14]

He claimed that this invasion of Mexico was as vicious as Hitler's invasion of Poland[15] and his discussion of the U.S.-Mexico relationship, beginning in 1820, is a litany of atrocities perpetuated by arrogant Anglos on people, he says, the U.S. oppressors considered inferior. In *Occupied America*, Acuña is not only trying to correct an interpretation of history he considers in error, but recommends the avenging of wrongs through retaking the land and seeking political self-determination for Mexicans in the United States, whom he claims are"living in captivity."[16] Throughout the text Acuña engages in the kind of stereotyping of whites that infuriates him when directed at minorities, and accuses whites of the kind of hostility he expresses toward them on the pages of this book.

One reads in *Occupied America* that "mingled with feelings of Anglo-American racial and cultural superiority, there is a legacy of hate"[17] — which begs the question, *on whose part*? Even more disturbing and insulting is his statement that "youth add drama to the Chicano movement because they bring the possibility of violence, which has always been the stimulus to which Anglo-American society best responds."[18]

On the one hand Professor Acuña complains that residents of Mexican origin in the United States have been relegated to a "nation within a nation," yet separatism is exactly what he recommends as a solution to their problems when he praises the "new Chicano nationalism" which rejects assimilation. In fact he insists on the use of the term Chicano because he says it "eliminates the American from the Mexican-American identity."[19]

"The central thesis of Acuña's capstone work,* Occupied America, *is that the Southwestern United States, including California, is actually Northern Mexico, making U.S. jurisdiction illegitimate."

Professor Acuña incorrectly portrays the position of Mexicans in the United States as *sui generis*. He uses their struggle to improve working conditions in agriculture as proof of Anglo animus toward Mexicans, ignoring that mill and factory workers, of every nationality, met identical resistance from employers whenever they tried to organize unions.[20]

In the summer of 1993, Rudy Acuña's attorneys were able to get the names of the faculty reviewers who recommended against hiring him — confidential information except in cases of alleged discrimination. He then sued them all as individuals, in addition to suing the university. "We need this fight as a people," Acuña told his El Congreso supporters because, "they (the university) are not going to change unless we beat the shit out of them and that is what we are going to do."[21]

But the real struggle between Rudopho Acuña and the University of California did not take place at the trial. It was about Acuña wanting his discrimination complaints to become a *cause celèbre*,

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while the university was determined to keep the issues limited and Acuña's time on center stage short. Acuña's attorneys insisted that this was a trend-setting case, claiming the real reason the university didn't hire him was because he was such a forceful and effective spokesperson for Chicanos and someone who would challenge what they called the UC's "plantation mentality."

Acuña's suit against the UC Regents was originally filed in September of 1992 in Alameda Superior Court in the 9th District of California — a location chosen to avoid what minority activists now refer to as a "Simi County jury."[22] But the UC managed to have the case removed to federal court in San Francisco and that court ruled that Professor Acuña's state and federal claims should be separated because the university, as a state agency, enjoyed 11th amendment protections. Then because everything at issue took place in the southern part of California, Los Angeles was selected as the proper venue for the federal case, while the state case was moved to Santa Barbara.

Next the UC lawyers were successful in having the race and national origin discrimination claims thrown out, after the judge agreed they lacked merit. (When the federal trial was over, the state court judge dismissed those same claims under *res adjudicata* because Acuña already had his one "bite at the apple.") Acuña's lawyers have appealed that decision.

When the trial finally began in 1995, five of the original causes of action were gone — the two under both state and federal law, i.e. race discrimination, national origin discrimination and, in the state case only, violation of the right to free speech. The only claim that Professor Acuña had left was that he was not hired because he was considered too old.

The university argued that Professor Acuña was not hired because his scholarship was deficient and the scholarship that they were talking about was Chicano history. What he had written about it was very much a part of the evidence they presented to explain their decision not to hire him.

Rudy Acuña was represented by 26 lawyers in all, including the ubiquitous ACLU and The Center For Constitutional Rights (in New York) founded by William Kunstler and Arthur Kinoy. The Center had given legal support to the Weather Underground, to members of the Baader-Meinoff Gang, and to the Black Liberation Army who were caught smuggling explosives into a New York City Courtroom.[23]

On July 21, 1993, UCSB historian Robert L. Kelley was deposed by one of Acuña's attorneys.[24] Kelley chaired the campus Ad Hoc Committee that recommended against hiring Professor Acuña,[25] and was a specialist in political culture, including Mexican history from the Aztecs to Cesar Chavez. Professor Acuña had repeatedly described Kelley as an "intellectual redneck," always mentioning that he wore a "white cowboy hat," as if it symbolized some truth about his character. Kelley said he wore the Stetson outdoors because he was subject to skin cancers.

"[UCSB historian Robert] Kelley called* Occupied America *a classic case of warping and twisting history and making an argument unsupported by the evidence."

Virtually all previous appointments to Chicano Studies at UCSB had been made jointly with appointments in other disciplines — History or Economics, for example — and as a skeptical senior professor, Kelley had the courage to question whether Chicano Studies was actually a separate academic discipline. Several years earlier, when a campus committee proposed two required courses in Ethnic Studies, Kelley suggested a sequence in American History and Institutions instead.

During his deposition, Kelley said that *Occupied America* was a spectacular title but created the false impression that a part of America has been permanently Mexican. There was just one 25-year period, 145 years ago, he explained, when the present southwest was a part of the Mexican Republic. Even then, the 65,000 inhabitants of California, New Mexico and Texas lived in what was then known as "New Spain," were never regarded as Mexicans, and called themselves "the Californios."

Kelley called *Occupied America* a classic case of warping and twisting history and making an argument unsupported by the evidence. The reader would be misled about the 19th century experience,

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he said, because crucial parts of the story were omitted when they didn't fit Professor Acuña's political theme. "We know what *occupied* means in our century" he continued, "*occupied* France, *occupied* Denmark. It means the residents of an old core culture are being dominated, exploited and misruled by an alien force that should be thrown out, so the country can be returned to its rightful inhabitants."

"Professor Acuña's behavior ... showed a pattern of brassy overstatement, a certain coarseness, and an anti-Semitism that was barely veiled and surprisingly vulgar."

Kelley noticed that in *Occupied America*, Acuña deplored the treachery of well-off, assimilated Mexican-Americans who turned their backs on the poor. Acuña warned that a class war was inevitable. This Marxist vision of the future may explain why the Center For Constitutional Rights was involved in his case.

This lawsuit was very expensive, costing each side 1.5 to 2 million dollars. Despite that, Professor Acuña did not get to argue about racism at the Santa Barbara campus. Although the university was successful in limiting his claims, the jury decided that Professor Acuña *had* been discriminated against because of his age.

Reflecting on the decision later, Regents' attorney David Birnbaum speculated that perhaps it had been difficult for jurors, especially those who had never been to college, to understand how someone with a Ph.D. — someone who had written books and had apparently accomplished so much — had still not reached a high enough level of scholarship to qualify for the professorship he was seeking.[26]

Based on the economic damage he had purportedly sustained, the court ordered the university to pay Professor Acuña $326,000 and awarded his lawyers $500,000 of the $2.5 million they had asked for in fees.

Then Professor Acuña's attorneys appealed to the U.S. 9th Circuit Court of Appeals for more money and appealed the dismissal of his identical discrimination claims in his state court case. The last two actions are pending.

After his victory, Professor Acuña sued for "instatement" (to be given the job he was denied.) But to award him a tenured full professorship at that point, violated a prior agreement between Acuña and the university that if he prevailed in the lawsuit, he would be awarded *front pay*, i.e. payment equal to the difference between his earnings at Cal State Northridge and what he would have received had he worked at UCSB until age 70. That amount was the basis for the $326,000 award, but Acuña wanted both the money and the job.

UCSB Vice-Chancellor Donald Crawford wrote the faculty on November 7, 1995 that *front pay* is given in lieu of, not in addition to, a position. He said the university would urge Judge Collins that appointing Professor Acuña would be unwise, because of the hostility toward him by members of the faculty.

What generated that hostility was outlined in the sworn declarations of 12 professors and administrators who said they would be unable to work with Professor Acuña and would consider resigning if he were appointed. They had all been involved at some step in the chain of university review that produced the negative recommendation with regard to his being hired. These declarations persuaded the judge to deny the *instatement*.[27]

Professor Acuña's behavior toward and correspondence with these 12 university people over a four-year period showed a pattern of brassy overstatement, a certain coarseness, and an anti-Semitism that was barely veiled and surprisingly vulgar. It was all a revealing measure of a man who relished his notoriety as a Chicano "bad boy" and self-proclaimed "street fighter," and for whom using "street talk" and tactics was part of his machismo.

Acuña called Professor Francisco Lomeli, a "puppet of the university" and an "armchair Chicano." Lomeli was warned that Acuña's supporters were going "to work him over" and that "he'd better watch out." Affirmative Action Officer Raymond Huerta said that prior to his deposition, Professor Acuña put printed placards next to his chair that stated, "Huerta, don't be a sellout."

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Huerta said one of Acuña's supporters told him "we are going to get you." Vice-Chancellor Donald Crawford was told by Acuña that he "was no Einstein," that he "catered to reactionary elements," and that the university was "snow-blind."

Professor Giles Gunn, a member of the Ad Hoc Committee, was warned by an El Congreso supporter of Professor Acuña that "you are not going to get out of this" and threatened him with physical reprisals over the campus radio station.

Professor Jeffrey Russell said he was angry and offended by Professor Acuña's personal attacks and that "he always glared at me in a hostile and intimidating way — called me a 'religious fanatic' a 'devil worshiper' and a 'racist.'" Russell said Acuña told a member of the Committee on Academic Personnel that "he really hated me." Russell said that "if Acuña is appointed to a faculty position, I would probably leave Santa Barbara." Dean Don Zimmerman and five other senior faculty members said they could not work with Professor Acuña and would consider resigning if he were appointed.

But Acuña's greatest hostility was reserved for Julius Zelmanowitz, a mathematician and the Associate Vice-Chancellor for Academic Personnel. According to Zelmanowitz, Acuña stated among other things that Zelmanowitz was "a liar," "a racist" and "doesn't know what a Mexican looks like." In response to being told his application was rejected, Acuña wrote that "he felt the heat of the ovens" while reading the rejection letter. He told Zelmanowitz that " there is something wrong with a Jew who wants to be a German" and repeatedly referred to Zelmanowitz's Mercedes automobile as a "Hitler Staff Car."

Acuña snidely referred to Zelmanowitz as "Julie" writing that "Caucasians are aliens" and that "white people scare the hell out of me." After a campus rally in which Acuña denounced Zelmanowitz, there were tacks pushed into the tires of the Mercedes and the antenna was twisted off. Acuña wrote to Zelmanowitz that UCSB "doesn't care about Third World people," "just wants to perpetuate its exclusive white country club," and is "rotten."

In portraying himself as a dangerous adversary, Professor Acuña was only taking his own advice and the advice he gave to other Hispanics. Yet even more astonishing than his deportment and statements was the tepid response they evoked from academics — a super-tolerant detachment that was backlash-baggage from the loyalty oath excesses of the 1940s. When, if ever, would educators shed unhealthy inhibitions and withhold (what Roger Kimball called) the *stick* that professional ethnics use to beat the west?[28]

Vice-Chancellor Zelmanowitz never wavered in his support of Chicano Studies, saying there was no God-given list of legitimate academic disciplines and that new subjects had always evolved over time. But that was before faith was lost in intrinsic merit and literal meaning — before deconstructionists and multiculturalists both claimed there was no clear distinction between truth and lobbying, since everything is subject to partisan proselytizing."[29]

"The most compelling reasons for the university to have rejected Professor Acuña's appointment were different than the reasons they gave at the trial."

What else could you call it, if not proselytizing, when the UCSB Chicano Studies department, even absent Rudy Acuña, offers courses for credit in "The Methodology of the Oppressed," "Theories of Postcoloniality and Third World Feminism" and "Knowledge Systems and Theory Within a Racist, Sexist, Classicist and Homophobic Society and Culture?"

The most compelling reasons for the university to have rejected Professor Acuña's appointment were different than the reasons they gave at the trial. Could they have won the case if they said he was rejected, not only because he didn't meet their standard of scholarship, but because he promoted irredentism and the racial divide — because of his exhortations to violence and because of his anti-white prejudice and his outspoken animosity toward the country that had accepted his parents as immigrants and helped him achieve a far better life than he would have had in Mexico?

Perhaps the jury would have sided with the

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university attorneys had they insisted they couldn't put a professor on California's payroll who told students their country was the same as Nazi Germany — nor would they hire a first generation United States citizen with such a non-existent allegiance to our history and traditions that he proclaimed publicly, at every opportunity, that he was "glad that his parents had made him a Mexican!" TSC

[The author is indebted to the law firm of Corbett and Kane (Emeryville, California) and to UC Regents' attorney David Birnbaum for copies of the pleadings, depositions, declarations, correspondence and other documents that were part of the state and federal cases, *Rudolfo Acuña v. The Regents of the University of California, et al.*]

NOTES

[1] From a January 12, 1993 fund-raising letter from Rudolfo Acuña addressed to "Dear Companera /Companero...."

[2] Speech at MEChA conference at California State University, Northridge on 11/9/96. Audiotape by CCIR (California Coalition for Immigration Reform).

[3] Ibid.

[4] Ibid.

[5] *El Plan de Santa Barbara, A Chicano Plan for Higher Education, Analysis and Positions,* by the Chicano Coordinating Council on Higher Education, Oakland, La Causa Publications, 1969, page 51.

[6] Corky Gonzales, *Why a Chicano Party?* Pathfinder Press, a Merit Pamphlet, 1970, page 12. I am indebted to author Patty Newman, whose book *Do It Up Brown* was published in 1971 by Viewpoint Books, San Diego, California. It contains a history of the Chicano movement before 1970.

[7] *Declaration of Rudolfo Acuña in Opposition to Defendants' Motion for Summary Judgment.* United States District Court, Central District of California, Case No. CV 93-1548, ABC, October 24, 1994.

[8] The size and reach of the Chicano movement is not well understood and needs additional research. The number 1,000 is a rough estimate based on the author's current count of Chicano organizations which have non-profit status and file 501C-3 forms with the IRS.

[9] Government grants given to Hispanic organizations for a variety of social services and citizenship training programs also fund, directly and indirectly, pro-immigration and political advocacy work.

[10] Declaration of Rudolfo Acuña, January 18, 1992.

[11] Letter from R. Acuña to Ralph Ochoa, July 17, 1991.

[12] Ibid.

[13] Letter from Rudy Acuña addressed to Assembly Leaders, March 9, 1993.

[14] From *Occupied America: The Chicano's Struggle Toward Liberation* by Rudolfo Acuña, Canfield Press, San Francisco, A Department of Harper and Row, Publishers, Inc. , New York,1972, page 228.

[15] Chicano propagandists routinely equate Anglo treatment of Hispanics with Hitler's persecution of Jews.

[16] *Occupied America,* page 274.

[17] *Occupied America,* page 275.

[18] *Occupied America,* page 274.

[19] *Occupied America* , page 228.

[20] *Occupied America,* page 276.

[21] From the UCSB *Daily Nexus,* October 8, 1993.

[22] These are jurors from a conservative community thought to be prejudiced against minorities; the location of the first trial where the police officers were acquitted in the Rodney King beating case.

[23] From *Information Digest,* February 12, 1982, page 35, cited in "The Sanctuary Movement: Smuggling Revolution" by Samuel T. Francis, *AICF Monograph Series,* Paper #4, 1986. In a letter dated September 4, 1992 to then California Assemblyman Jack O'Connell, Acuña writes that the Center for Constitutional Rights was "handling my attorney fees."

[24] Deposition of Robert Lloyd Kelley, July 20, 1993, Vols I and II, pages 139, 25.

[25] The selection of tenured faculty starts with the academic department, then review and recommendations are made by the Provost before the application is forwarded to the Ad Hoc Committee, which is appointed by the Committee on Academic Personnel. Two Vice-Chancellors then review the recommendations before the Chancellor accepts or rejects the employment of a Full Professor.

[26] Private communication with the author.

[27] The sworn declarations of the professors and administrators cited in this section, as well as the letters from Professor Acuña in which he makes the remarks they quote, were included in the documents given to the author by Regents' attorney David Birnbaum and the law firm of Corbett and Kane.

[28] From *Tenured Radicals: How Politics Has Corrupted Higher Education* by Roger Kimball, Harper and Row, 1991.

[29] Ibid.

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Mexa National Conference

Chicano student movement meets at East Lansing

Reportage by David Payne

The Michigan State University chapter of the Movimiento Estudiantil Xicano de Aztlan (Chicano Aztlan Student Movement — also known as MEChA) played host to the group's 1997 national conference. Meeting at East Lansing from Thursday, April 10 through Sunday, April 13, the theme of the meeting was "Breaking the Chains of Colonization — Self-Determination."

I attended the Mexa conference during its entirety, except for those small strategy sessions to which one had to be invited. I was obviously the *only* non-Chicano present. In spite of my easily detected European descent most were very pleasant, with an occasional cold "what are you doing here" stare from hardliners.

Here are some observations.

What struck me most was weakness. They were in disarray with constant back-biting and bickering among the conference speakers, each criticizing other aspects of the program. Those speaking about indigenous peoples claimed that sections on the Aztec heritage were worthless, that all indigenous peoples should unite. Some proclaimed the Spanish language as all-important, but the conference was conducted in English and the party-line seemed to be that Spanish, being as European as English, is to be disdained.

"We are not American. We are not Mexican. We are not Spanish. We are not Latin. We are Mexica" — which means: of the Aztec heritage. When one well-dressed non-Indian male confronted the speaker with the point that most were of mixed Indian/Spanish descent and "wasn't it a matter of choice which slice of your past you wanted to identify with?" — he was shouted down. Others piped up, "Let him speak, let him speak." The leader on the platform was not amused.

I couldn't help comparing this movement to aspects of some African-Americans' agendas to disavow everything European. Both groups try to trace the important aspects of their heritage to non-European origins; both want to show that they have made important contributions to civilization for which Europeans have taken all the credit. Poor young Hispanics growing up in barrios and poor young blacks growing up in ghettos need to be drawn to such ideas in order to bring some kind of meaning to their lives. Gangs are probably the most furious competitors of these movements.

I thought it would be most helpful for the immigration reform activists in California if I attended the session on "working in the schools." This was the only session in which the leader, complete with brown beret and a cluster of medals, asked why I was there. "To learn," I said, and he grunted acquiescence.

The main problem this group talked about was "apathy." They couldn't get anyone to come to their meetings. The speaker belittled piñata parties, but others defended them as the only way to get someone to attend. Still, no sign of interest from one party to the next.

> ***"We are not American.***
> ***We are not Mexican.***
> ***We are not Spanish.***
> ***We are not Latin.***
> ***We are Mexica.***
> ***(Meaning: of the Aztec heritage)."***

The session degenerated into political back-biting on such issues as how to keep Hispanics from taking control of Mexa organizations, how to organize the funding away from such coups, etc. Very petty stuff.

The Saturday options seemed to hold the most promise with topics such as "Eagle Eyes: Government Surveillance of the Chicano Movement" and "Surviving a Radical Demo." These degenerated into story-telling sessions with most of the stories coming from the sixties

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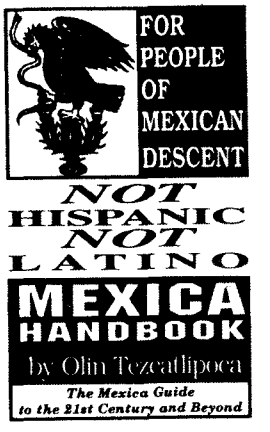
and seventies. The hard-liners seemed to come from that era and were disappointed that the current youth could not be stirred.

All in all I was disappointed. On the basis of my own college days I was hoping to see and hear some good old-fashioned Marxist fist shaking and revolutionary rhetoric. But I could identify with the complaints about people leaving the movement after college. It reminded me of my companions who had driven around in VW beetles with McGovern bumper stickers and are now conservative Republican stockbrokers. "How you gonna keep 'em down on the farm after they've seen Paree?"

Despite the seeming lack of unity at the conference, the very fact that there were over 150 members gathered gives one pause. It would be a mistake to underestimate the Chicano movement, for even those who are at odds over details on the surface may be deeply united in underlying ideals. TSC

For more information about the Aztlan movement, MEChA, and the Chicano Mexicano Mexica Empowerment Committee visit their websites at www.aztlan.org and www.mexica-movement.org

The Aztlan Mythos



Book Review by Wayne Lutton

Founded in 1993 as a 501-C-3 educational organization, the Chicano Mexicano Mexica Empowerment Committee (CMMEC) works to promote the history, heritage and "complete and independent empowerment" of "the international non-Eurocentric Indigenous people of Mexican, Central American, and 'Southwest Native American' descent." CMMEC aims to "have an independent Mexica future, free of the European descendants and Eurocentrics who are now controlling and exploiting our lives." "Mexica," according to CMMEC, "is what we called ourselves before the European invasions — the Spaniards first and then the Anglo-Americans."

Mexica Handbook
by Olin Tezcatlipoca
CMMEC, P.O. Box 5088
Huntington Park, CA
90255-9088
68 pages, $10.00 (includes p&h)

Circulating at the 1997 annual conference of the Chicano Student Movement of Aztlan (Movimiento Estudiantil Chicano de Aztlan (MEChA), held at Michigan State University, April 10-13, 1997,I picked up a copy of the *Mexica Handbook*. Given that MEChA has chapters on hundreds of college, university, and high school campuses, especially throughout California and the Southwest, it is important for Americans to know what this group stands for and what it hopes to accomplish.

In their public statements and literature, CMMEC proclaims that they are militantly anti-White. Their handbook opens with this declaration: "MEXICAN! NOT *LATINO* Latinos are the white people of Latin America...NOT *HISPANIC* Hispanics are the people of Spain, Europeans...We are an Indigenous People! We Are *NOT* White!...92% of the so-called Hispanics/Latinos in AZTLAN (the so-called Southwestern United States) are people of Mexican descent. We are also 71% of the so-called Hispanics/Latinos in the U.S. as a whole. WE ARE NOT FOREIGNERS TO THIS LAND. WHITE PEOPLE ARE THE FOREIGNERS ON OUR LAND!"

Not surprisingly, author Olin Tezcatlipoca herein describes Spaniards as "European pirates, thieves, invaders, murdering savages... They left us a 'culturally castrated' people, which is what we are

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today." But Europeans as a whole, he emphasizes, are people without culture who possess no redeeming qualities:

> *It is important to realize that Europeans originated no civilization. The Romans received from the Greeks, the Greeks from Asia and Africa. Europeans like to pretend that they were part of Mesopotamia and Egypt but they had nothing to do with that 'cradle' of 'Western civilization.' Northern Europeans, above all other Europeans, had ABSOLUTELY nothing to do with the creation of any civilization. They have historically been the destroyers of civilizations.*

Elsewhere in this opus, the author informs his readers,

> *You can almost smell the blood*
> *You can almost hear the screams*
> *You can almost taste the arrogance*
> *You can definitely sense the lack of guilt for so much*
> *Thievery and murder worldwide by these Europeans*
> *And their descendants everywhere on our planet,*
> *Like leaches, parasites, vampires, cancers....*

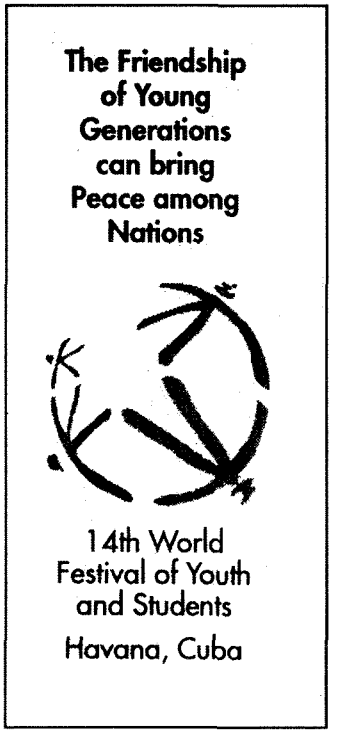
As Tezcatlipoca explains, the ultimate aim of this movement is to expel people of European descent from what they claim is the historic "Aztlan." In the *Mexica Handbook* we are told that "the original Aztlan was in Ohio. The people of Aztlan eventually moved to what we traditionally call Aztlan: the so-called U.S. Southwest." And by their definition, "Europeans" include many Cubans, Latin Americans, and Mexicans — anyone who does not self-identify with "Mexica." All must leave!

> *...We should be building a new Tenochtitlan, fighting in the streets and mountains against these invaders-thieves-murderers-liars. We should be fighting as warriors against them, not as gangsters against our own people.*

It would be comforting to simply dismiss this as the ravings of a fringe element. But, thanks to the immigration-fueled demographic shift, their numbers grow by the day.

And, as the German sociologist Helmut Schoeck noted years ago, *envy* is an especially powerful motivating force when directed by demagogues.

As the pages of the *Mexica Handbook* reveal, we can't say that we weren't warned. TSC


The Friendship of Young Generations can bring Peace among Nations
14th World Festival of Youth and Students
Havana, Cuba

"Join Us In Havana!"

In addition to their own literature, the Chicano Student Movement of Aztlan 1997 national conference at Michigan State University encouraged attendees to sign up for the14th World Festival of Youth & Students, being held in Havana, Cuba, July 28 to August 5, 1997.

Organizers state their goals include promoting "anti-racist and anti-chauvinist battles on every continent...."

The first World Youth Festival was held in Prague, Czechoslovakia in 1948. Festivals were sponsored by the Soviet KGB, until the demise of the Soviet Union (the 13th World Youth Festival took place in 1989, before the collapse of the USSR). Cash-strapped Fidel Castro is carrying on this work.

American endorsers for this year's meeting include the National Lawyers Guild, the Southern Christian Leadership Conference, United States Student Association, University of California Student Association, and the Young Communist League.

— Wayne Lutton

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Grassroots Reform Groups Discuss Goals

Reportage by Joseph Daleiden

Representatives of grassroots immigration reform organizations from twelve states met in Chicago April 3, 1997, to discuss goals and strategies. One of the primary challenges faced by activist groups around the country is education, the delegates agreed. Except for persons located in the border states where the pressure on social services, schools, employment and culture is more evident, the American public is still largely ignorant of the severe negative consequences of the nation's present immigration policies.

The polls show that the vast majority of Americans favor reducing immigration, but only about 25 percent of the public ranks excessive immigration as a primary concern. Ironically, none of the issues that are rated above immigration — education, income inequality, crime, the environment, etc. — can be successfully resolved unless immigration is reduced to a sustainable level.

Assuming that the federal government could successfully close down illegal immigration, just what level of legal immigration could be construed as "sustainable" was the subject of much debate at the meeting. The majority of the conferees argued for a goal of 100,000 per year. The optimum number that some representatives could accept was 300,000, and these figures cover all categories including refugees and asylum-seekers. Even 300,000, which is somewhere near the long-term average, is far below the present level of 1.2 to 1.5 million legal and illegal immigrants entering the U.S. each year.

In addition to the adoption of this suggested cap, several other goals were generally endorsed by the conference participants:

- implementation of significant employer sanctions and a work-eligibility verification system to halt the continued invasion of illegals.
- limitation of family reunification to spouses and underage children.
- elimination of automatic citizenship at birth to children whose parents are not U.S. citizens or permanent legal aliens. (This is the intent of HR 7 introduced by Rep. Brian Bilbray.)
- re-establishment of the traditional definition of refugees and asylees as those who are in imminent danger of death or persecution due to their political views. Refugee status would not be granted to persons who wish to leave their home country to avoid coercive laws regarding sexual practices or birth control, nor to victims of diseases such as AIDS, or economic deprivation, or the hundred other reasons why most of the world would benefit from migrating to the United States.
- maintenance of a policy of repatriation of refugees when the danger that brought them here has passed.

The conferees also felt that more effort must be expended at both the national and local levels to build coalitions with other groups who still do not realize how they are being adversely affected by the present level of immigration. These would include any organizations concerned with protecting the environment,, reducing taxes and balancing budgets, reversing the decline in real wages, reducing the incidence of drug abuse and crime, improving race and ethnic relations, and renewing the meaning of citizenship in America.

Finally it was agreed to continue to build a coalition of grassroots organizations to provide the synergies that can be gained by coordinating their efforts. Although wide latitude in tactics would be allowed, the members of the coalition agreed not to condone racism or violence in pursuit of their goals, not to accept as members any persons or groups advocating racism or violence. TSC

***Joseph Daleiden** is executive director of the Midwest Coalition to Reform Immigration, host of the April 3, 1997 meeting.*

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Language Matters

If Oakland, California, can't find answers to the language dilemma, then who can?

by Leo Sorenson

The Ebonics issue — like everything else in Oakland — is all about race, federal dollars and political power.

Elitists on the Oakland school board have decided that the bilingual billions spent to teach Mexican children to speak Spanish should be shared with blacks. The Rev. Jesse Jackson saw this immediately upon his arrival in Oakland: We must share resources — the bilingual money, he said.

Black vs brown: the Hispanic politicians want all the bilingual billions for themselves. They want the United States to be like the Canadian province of Quebec, officially bilingual.

You may have noticed that Asian immigrants don't want bilingual dollars. They want their children to learn English so they can go to U.C. Berkeley. Try to force an Asian child into a bilingual class.

Personally, I am multi-lingual, and believe it would be wonderful if everyone were at least bilingual; but I believe we must have one common language, English, in which to conduct our government business and in which to vote, ballots in English only.

I am co-founder of English Language Advocates and E Pluribus Unum, national foundations dealing with language and unity. It is clear that a common language is the single most unifying force in any nation.

As a political observer and activist, it has been apparent to me for more than 10 years that blacks have wanted to share the bilingual billions. Their answer is Ebonics.

Over $4 billion is spent in California, and over $10 billion is squandered each year in the U.S. to teach Mexican children in Spanish. This is done against the over-whelming will of Mexican immigrant parents who see bilingual education as government-sponsored child abuse designed to keep them in linguistic ghettos.

Is it any wonder the blacks want some of that money?

While the Ebonics idiocy goes on, parents of all races are scrambling to get their children out of the Oakland public school system. "Please, give us choice and vouchers," they say.

As a member of a tiny 5 percent minority — white male over 50 — I will be affected by this tragedy. It will affect my life, my children's lives and the lives of my grandchildren because the widespread use of race politics will profoundly alter the future of Oakland, of California, of the U.S. and, in fact, the entire world unless we in Oakland come to our senses.

"Over $4 billion is spent in California... to teach Mexican children in Spanish. This is done against the overwhelming will of Mexican immigrant parents..."

The Oakland school board would be well-advised to join the New Oakland Committee as part of our panel established to "ERACISM" in Oakland. If we in Oakland — labeled "The Most Integrated City in the United States" — cannot find an answer to all of us minorities living together in racial harmony, then who do you expect to give us the answer, the government?

With love and respect toward all. TSC

***Leo Sorenson** lives in Oakland, California, where he is a member of the New Oakland Committee. His comment appeared in the* Oakland Tribune *January 16, 1997. Reprinted by permission.*

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Australia's Cultural Identity

Lessons about multiculturalism from Canada

by Robert Birrell

Opinions vary as to whether most Australians share a core cultural identity, or if they do whether it is something to celebrate. Some critics would like to see the very notion of a collective cultural identity banished. Others believe Australia's social diversity is now such that it is fanciful to imagine a shared cultural identity. A growing minority like the idea, but argue that it will have to be based on the ideal of diversity itself.

I will return to these issues later. First, there are some strictly empirical issues to examine. The most important is whether any distinctive national culture can survive in an economically diminutive country like Australia which is on the receiving end of the multi-national TV, film, magazine and newspaper networks.

Globalization of the Media and Identity in Canada

Some opening comments on the situation in Canada will set the scene. If the Canadian experience is any guide then it would seem that our fate is to be subsumed into a global (probably North American) oriented culture. Currently, the great bulk of the product screened to Canadian TV viewers and film buffs is of U.S. origin. It is estimated that barely two percent of the TV drama watched by English-Canadian viewers is Canadian in content (Collins, 1990, 239) and that only 3 to 5 percent of the theatrical screen time is devoted to Canadian films (Goldman and Winter, 1991, 149). In any case the limited TV drama product and films produced in Canada are often intended for the North American market and thus not readily differentiated from U.S. output. In one devastating study of a sample of Canadian residents living near the U.S. border, 78 percent were unable to name the author of the last Canadian book they had read and 56 percent could not name their favorite Canadian TV program or did not have one (Goldman and Winter, 1991, 153). It has reached the point where some observers find it difficult even to conceive of Canadians "being able to produce Canadian dramas that mass Canadian audiences will watch" (Collins, 1990, 334). This is partly because Canadian TV broadcasters can buy American drama product at a tenth or less of cost for Canadian material and partly because it is thought that Canadians actually prefer the American product.

The Importance of Cable TV

This dominance of U.S. TV product in Canada has occurred despite a history of Canadian government efforts to prevent it. The federal government has sought to maintain control over the TV and radio broadcasting media, precisely in order to maintain an independent Canadian cultural identity. To this end it has legislated to maintain Canadian ownership of the broadcasting system, and has required a degree of Canadian content on the free-to-air TV networks (around 50 percent in the evening hours, including some drama). However this has been circumvented somewhat on the commercial networks by the practice of sandwiching "Canadian" content around prime time U.S. material. As to drama, an indication of the limits of this legislation is that in 1985-86 the leading Canadian private network, CTV, was showing an average of just 1.5 hours of Canadian drama per week (Collins, 1990, 77).

In addition, the local content requirements have in effect been by-passed on the cable networks. By the early 1980s about 60 percent of Canadian TV households were cable subscribers. The penetration of homes by the cable networks was a remarkable 75 percent (Hollins, 1984, 95). The cable TV operators have to be Canadian-owned, and are required to provide priority access to Canadian networks. But

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the commercial viability of the cable operators has depended on their provision of U.S. material, usually including the major networks (Collins, 1990, 46). Canadians have chosen, in the main, to watch American rather thanCanadian material. The Canadian government and its regulatory bureaucracy have simply not been prepared to prevent this development (for example: by taxing U.S. material or by insisting that every channel meets the local content rules applied to free-to-air broadcasters).

Media Influences on Identity

One cannot jump from this information to claims that as a consequence of this cultural swamping Canadians have lost any sense of their own identity. Collins argues against this thesis (Collins, 1990) as does S.M. Lipset in his widely quoted analysis of the relationship between the U.S.A. and Canada (Lipset, 1990). However, there is evidence to suggest that the domination of U.S. origin material (especially in the TV drama and film areas) has influenced Canadians' conceptions of themselves. This seems particularly the case among ordinary people. They tend to be more dependent on TV for their information than are elites, who still make substantial use of newspapers as information sources (newspapers being one area where Canadian sources still prevail).

Public immersion in U.S.-oriented TV and film appears to have contributed to many Canadians' lamentable knowledge about their own public affairs and heritage. Ordinary members of the Canadian public have more difficulty identifying Canadian public figures, present or past than they do American. When Canadians think about public issues they tend to think in U.S. terms — including that they have the same race and crime problems as manifested in U.S. cities. Canadian children think that American legal practices like protections guaranteed by the Fifth Amendment and the existence of district attorneys characterize the Canadian scene too (Starowicz, 1993, 91). More seriously, it is argued that the relative paucity of Canadian public affairs programs shown on TV and the competition from U.S. news and public affairs shows means that Canada "does not have the basic tools to conduct even routine national debate on its airwaves" (Starowicz, 1993, 95).

These developments have probably contributed to the striking English-Canadian uncertainty about what it means to be Canadian. Thus the wide currency of jokes like the following: "Imagine a Committee on un-Canadian Activities. You can't. Un-Canadianism is almost the very definition of Canadianism" (Stark, 1992, 135). This generalization does not, of course, apply to French-Canadians. In Quebec, the intelligentsia have led the effort to promote French-Canadian cultural distinctiveness. Quebec elites are contemptuous of their English-Canadian counterparts' lack of resoluteness in pressing for a parallel English-Canadian identity.

It is true that many English-Canadian intellectuals are hostile to American cultural imperialism and thus concerned to maintain Canadian economic and cultural independence. But most have difficulty articulating any notion of a common Canadian identity which might serve as a rallying point for their cause. This is partly because their commitment to multiculturalism means they are reluctant even to assert such an identity. For this reason many fall back on the current diversity of Canadians' national origins and cultures — Canada's cultural mosaic, to use the Canadian term — and claim this is what is distinctive of Canada.

Assuming this commentary is current, does it really matter? Some sections of the Australian intelligentsia, including many of the growing band of cultural analysts, think it does not. However, in Canada the stakes are high. Quebec nationalists are pursuing greater independence for their province, perhaps to the point of secession. So too are the indigenous people, the so-called First Nations. In addition, some of the provinces, particularly those in western Canada, have sought to go their own way, at least on economic policy matters. In this context, pan-Canadian nationalists have found it hard going to put an appealing case against what many feel is another major threat to Canada's sovereignty — the pressure for closer economic union with America. For this purpose they need to be able to articulate some compelling basis for Canadian unity. But currently Canadians lack any widely shared mission like the 19th century goal of integrating Canada's economy along the Canadian-Pacific railway spine (McDougall, 1991, 397). As the upsurge in the appeal of the populist (and anti-pluralist) western-based Reform Party in the early 1990s suggests, multiculturalism is not a compelling ideal even among Anglo-Canadians, let alone French-Canadian or aboriginal Canadians.

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So it is no surprise that those favoring closer North American integration (including most business interests) prevailed in the recent debates over free trade on the North American continent. Their success led in the implementation of the Canada-U.S. Free Trade Agreement (CUFTA) in January 1989 and to Canada's participation in the recently signed North American Free Trade Agreement (NAFTA) between the U.S., Mexico and Canada. As a result, some aspects of Canadian society, which Canadian nationalists like to think differentiates Canada from the U.S.A., are now under threat. These include Canada's relatively generous social welfare system (compared to the U.S.) and its more tightly regulated labor market and more interventionist environmental regulations. All this is now under challenge as Canadian corporations compete more directly against their southern counterparts. Canadian governments are also under pressure to adjust (or "harmonize downwards" as Canadian critics put it) their legislation on labor and environmental matters toward that of their North American trading partners. As one critic puts it:

> *To adjust to this new reality (of CUFTA) governments have been under pressure to eliminate many features that make the Canadian economy distinctive. Aligning cost and regulatory structures has meant weakening unions and forcing down wages, social and labor standards, environmental standards, corporate taxes, and social program spending* (Campbell, 1993, 96).

The Australian Situation

The circumstances in Australia are different. At least something identifiably Australian in the realm of popular culture has survived the globalizing process.

From the vantage point of the 1960s, it appeared Australia would go the way of Canada. The Australian film industry was moribund and the new commercial TV channels were almost totally reliant on cheap American product for their drama content. Since the 1960s, Australian film has flourished, as has Australian TV drama. As in Canada, the Australian government promoted Australian content, in large part because of concerns about national cultural sovereignty. The pressure to do so came from Australian cultural elites (prominent among whom were media workers) worried about incipient U.S. domination of the Australian scene and about employment prospects for Australians.

In the case of TV, these concerns prompted the government to insist that reluctant TV proprietors increase their Australian content, including drama. By 1993, the government's Australian Broadcasting Authority (ABA) required the "free-to-air" commercial channels to include at least 50 percent "local content" material between the hours of 6 to 12 pm. This has recently been increased to 55 percent by the year 1998. These rulings include stipulated levels of first-run Australian drama (difficult to quantify in hours per week because the rules involve a complex point system linked to quality and price factors, as well as hours of transmission). Such drama must be written by — and for the most part acted by — Australians (at least 50 percent of the lead actors and 75 percent of the major supporting cast). The ABA states that its objective is for drama programs which cover "Australian themes", in which "the language is Australian", as are "the idiom or accents" and the character of production is Australian, in the sense that locations, props, etc. are "recognizably Australian" (ABA, Trends & Issues, Oct. 1993 p.27).

While there is no parallel rule that film distributors and exhibitors show a certain proportion of Australian films, the government has provided significant financial assistance to the local industry. Again, the Australian Film Commission and other bodies assisting the industry have made it a condition of any financial assistance that the films in question are predominantly "Australian" in direction, acting and themes.

In sharp contrast to Canada, the Australian experience with TV drama production has been that despite the small market, local productions can be popular and financially viable (even though they cost some ten times more than imports). Indeed, the industry now recognizes that for high ratings it is almost essential to run local productions. The ratings make it clear that Australian audiences like Australian product, and more in depth opinion analyses show that (other things being equal) they actually prefer Australian shows (ABA, Trends & Issues, October 1993). Mini-series portraying themes from Australian history have been particularly successful. The response to Australian film production has also been strong, again especially

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with productions like "A Man from Snowy River" which feature a romanticized view of Australia's past.

Cultural Border Management

There is no doubt that in the absence of state intervention there would have been no flourishing local TV drama industry because of the relative cheapness of the imported product. Australian efforts to limit the incursions of foreign shows have worked. In effect this is a case of cultural border management. The original impetus to require Australian content and to encourage Australian film production may have been inspired in part by the job protection concerns of media workers. But in putting their case for public regulation or financial assistance advocates invariably cast their claims in nationalist terms. The emotive and politically telling line has been that Australia needs Australian writers and artists to tell "Australian" stories to Australians, otherwise we will be overwhelmed by other people's stories. Behind this claim is the presumption that there is a story to tell and that Australia is a nation with a unique history and heritage out of which has emerged a distinctive cultural identity. The success of this argument in shaping government responses is reflected in the ABA guidelines for local drama cited above.

This is not to say that the cultural defenses have been entirely effective. Some of the material produced owes a great deal to the American exemplar. It is also by no means clear that the existing borders will be sufficient to stem the inflow of overseas product. The effort to sustain local TV content goes against the grain of deregulatory policies favored by all governments in Australia since the 1990s. The spirit of these policies was reflected in the former Labor government's willingness to allow overseas proprietors to control most of our newspapers and one of Australia's three TV networks, Channel 10. Despite explicit ABA regulations to the contrary, this station is 57 percent owned (and apparently managed) by the Canadian CanWest corporation (Australian, October 23, 1995). The government has also permitted News Limited through Foxtel to hold a major stake in the Australian pay-TV industry. This could be the Trojan horse for foreign content domination of Australian TV.

So far, the regulations controlling local content provisions for the pay-TV stations have been remarkably laissez-faire. They are even less demanding than the regulations governing Canada's admittedly limited pay-TV networks (Collins, 1990, 84). The only requirement specified in the current ABA draft guidelines for pay-TV is that TV licensees who provide a service devoted predominantly to drama must "ensure that at least 10% of their program expenditure each year in relation to that service is spent on new Australian drama programs" (ABA, "Guidelines for the pay-TV 'new Australian drama' licence condition", September 1995). Should pay-TV eventually dominate the "free-to-air" stations as cable (though not pay-TV) has done in Canada, then under the current rules international (mainly U.S. product) may ultimately prevail.

Australian Content

The ABA has succeeded with its Australian content rules in stimulating the production of drama which is recognizably Australian. The successful Australian programs like the top rating 1996 series "Blue Heelers," do exhibit a "sense of place" which is undoubtedly Australian in their rural, sunny and rustic settings. They typically also feature "Australian" values in their emphasis on matey egalitarianism. Regardless of occupation and wealth, the major characters are shown interacting without the kind of status hang-ups common to British society. Indeed, it is sometimes said that this is one of the reasons why Australian shows are so popular with British audiences. The national heritage element has also been prominent. As noted earlier, the many highly-rated Australian mini-series productions broadcast during the 1980s often drew on a heroic and romanticized version of Australia's past.

The emphasis on these themes has prompted criticism from cultural commentators and ethnic intellectuals alike that Australian TV excludes much of the reality of Australia's urban cultural diversity. Thus the claim, most systematically spelled out in Jacubowicz *et al*'s recent book *Racism, Ethnicity and the Media*, that the TV media portray an unreal picture of Australia, sometimes offensively ignoring the ethnic presence, at other times stereotyping ethnics in a negative way. As Jacubowicz *et al* put it:

> *As we viewed the hours of television, and read our collection of newspapers and magazines, we realized that the most significant use of non-Anglo*

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Australians was to mark boundaries. Non-Anglo Australians were included as contrast with the "normal" — the audience addressed by the advertisements but also the audience that was expected to be watching the news or reading the press. These others, these "non-normals", were included either as exotic accessories to the physical backdrop, for example in food advertisements, as tourist attractions or as threats to boundaries — boat people, for example (Jacubowicz, 1994, 54).

Others argue that "Australian" imagery as portrayed in the media functions as a form of deliberate assimilation, antagonistic to minority aspirations to celebrate their cultures. But the most insistent and serious criticism is that "Australian" content presents an Australian identity which is fundamentally exclusive. As one cultural critic puts it, Australian nationalism has taken on a particularly exclusive, Eurocentric definition of the nation" (Turner, 1995, 122). The ABA does actually state in the introduction to its Australian content regulations that one of the objectives is to "recognize the diversity of cultural backgrounds represented in the Australian community."

"In a competitive world economy... it is the nation which serves as the community of destiny."

But it must be admitted that this objective has not been achieved. Ethnic-Australians are largely ignored in Australian content. Programmers almost invariably seek to attract a mass audience which is predominantly made up of Australian or British-born viewers, most of whom appear to like the traditional images. The advertisers, who have much hanging on the popularity of the images they link to the products they are selling, also seem to think that these "Aussie" images are popular. Thus, as Turner astutely notes, "When Telecom wants to flog its frontline high-tech product (a mobile phone) what does it do? It dresses a suntanned blond male in an Akubra and a pair of shorts, pops him in a four-wheel-drive, and sends him bush with an American tourist!" (Turner, 1995, 8).

Many viewers of ethnic origin must be watching these images too, since the high rating Australian TV programs do just as well in Sydney and Melbourne as elsewhere, despite the fact that in both cities around 35 percent of the adult populations are overseas-born, mostly in non-English-speaking countries. This viewing does not deny the possibility that some of these people feel excluded in the material. However it is interesting to note that SBS, the government-financed TV station which began operating in 1980 and whose goal is to provide material relevant to ethnic audiences, only attracts around three percent of the Melbourne and Sydney viewing audience.

Issues in Dispute

The critics would like to see a more prescriptive approach to "Australian" content in which programmers are required to incorporate a greater diversity of ethnic images. For some this would contribute to a larger goal in which Australia finds a new cultural identity featuring diversity itself. According to Donald Horne, one of Australia's best known cultural commentators,"we have a chance to show the world a tolerant nation-state in which there is no ethnic definition of nationality. Instead there could be a civic definition of an Australian" (Horne, 1993, 218). Under the umbrella of this civic definition Horne, like many other critics of old Australia, imagines that we could celebrate our ethnic diversity. In similar vein, the cultural critic, Graeme Turner, argues for a redefinition of Australia in which "difference should actually be constitutive of identity" (Turner, 1995, 124). For him, SBS embodies the ideal characteristics of the new Australia, because "SBS emphasizes its lack of unity, its multiplicity of objectives, its refusal to construct its audience as unified, singular, conceivable" (Turner, 1995, 125).

There is little chance that these ideas will appeal beyond a narrow intellectual and ethnic elite. For ordinary people, including, I suspect, many of ethnic origin, there is a deep desire to be part of a larger community with common aspirations and bonds. In secular societies the nation provides the outermost boundary of such community consciousness. In a competitive world economy, where nations, rather than regions or cities within nations, compete for supremacy or survival, it is the nation which serves as the community of destiny. Ordinary people or parochials (to make clear the contrast between

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cosmopolitans like Horne and Turner), want to feel that they belong to a powerful and meaningful community. For most, the nation represents this community. They want the protection and security that the national community — at least potentially — offers in a competitive, threatening world. This is one of the reasons why they tend to be more concerned about defense issues than those with more advanced education (Bean, 1995).

For many ordinary people, the well-being of their community or nation also helps provide some moral bearings and direction, otherwise lacking in a secular age. Ideas about creating a better society for fellow community members and about passing on something better for future generations help give a sense of larger purpose. People who feel this way like to think of themselves as "us" or "we" — that is, to value the aspects of their society which mark them as members of the national community. Inevitably such people do not respond favorably to appeals to difference or Turner's post-modernist enthusiasm for "lack of unity."

If this is the case, and the producers of popular culture feel constrained to give the mass public what it wants, then we are surely in for more of the "Australian content" the critics decry. This does not mean that we must lament for the allegedly "excluded" ethnic audience. There is another side to the "Australian" values and symbols embedded in Australian content other than the "exclusive" elements referred to earlier.

'Australian' Cultural Values

To make this point requires a brief reference to the federation era when Australian nationalists first proclaimed the characteristics they regarded as distinctly "Australian." Their underlying idea was to identify Australia with "new world" ideas. These they defined in opposition to the "old world" ideas which they took to characterize Britain and Europe. The Australian "New world" was to be free from the class, caste, and religious divisions of the old. Like nationalists everywhere they wanted to develop principles which differentiated the Australian "people" from those elsewhere, and which put them in a favorable light. The core "Australian" values as defined then and since were status and class equality; values which derived directly from their "new world" aspirations.

Given this background, it is not surprising that federation-era nationalists found the language of citizenship an attractive vehicle to express these ideas. By emphasizing the importance of each Australian's status as a citizen they were drawing attention to what each shared in common with all others. In this sense citizenship embodied ideas of class and status equality. Nor is it surprising that federation-era Labor party leaders (particularly Billy Hughes) embraced the language of citizenship in putting their case for economic and social reform on behalf of workers (Birrell, 1995, 209-214). This language offered working men and women a degree of equality with middle- and upper-class strata which was barely conceivable in Britain at the time.

The relevance of this background to the issues under discussion is that the "Australian identity" which evolved from this setting was potentially inclusive, in that it implied that all should hold a valued place in the new Australian community regardless of occupation or religion (Birrell, 1995). There were various institutional expressions of the idea, but perhaps the clearest was the development of state-financed and secular primary education systems through all the colonies in the late 19th Century. Reformers wanted all children, regardless of class or religion, to join the new schools. An indication of the spirit behind the initiatives is the statement of the Victorian Jewish politician, Edward Cohen, speaking in support of early 1870s legislation to create the Victorian "free, compulsory and secular" state education system. Cohen declared:

> *This being a free country let us leave behind us all the superstitious nonsense of the old world. Let us here meet on common ground. Let us send our children to the same schools irrespective of creed or country; and let them here be brought up in that creed of kindliness and friendship which will make them forget that their creeds divide them* (Cited in Birrell, 1995, 51).

Most children (regardless of class), including those of Jewish origin, did join the colonial primary systems. The great exception was the Roman Catholics, who were proscribed from attending by their religious leaders. This was a matter of great regret to Australian nationalist leaders of the late nineteenth century like Alfred Deakin. They hoped for an inclusive community in which Australians would be able to bury "old-world" differences.

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The Inclusive Potential of 'Australian' Values

It is true that the early nationalists put limits on whom they were prepared to accept in the new "inclusive" community. Sadly, their range of eligibles excluded Aborigines and non-whites, who were regarded on racist grounds as incapable of sharing these community ideals. In more recent decades, however, as attitudes to non-whites and Aborigines have changed, these same "Australian" values have provided the moral foundation for arguments against the continued exclusion of those formerly considered "ineligible" to join the Australian community. Thus the appeal to longstanding ideas of a "fair go" or "one man's as good as another" to justify opportunity and equal dignity to those once devalued. The same point can be made about ethnic Australians. As suggested earlier, most ethnic-Australians want to be part of an inclusive community. This being the case, the celebration of "Australian" values may actually serve to promote their interests since this celebration helps to remind Anglo-Australians of their obligations to the wider community. Ethnic-Australians have good reason to embrace as their own an Australian heritage which embodies values which legitimate their claim to full membership of the nation.

No doubt critics will respond by arguing that the preference in Australian programming for blonde, Anglo exemplars is an implicit rejection of non-Anglo claims for acceptance. Fortunately we do seem to be moving away from this pattern. Non-Anglos were taking roles within the mainstream media which have no reference to their ethnic or Aboriginal background. The Martin D'Estasio character in "Frontline," a highly successful TV show which, since 1995, has satirized Australian current affairs programs, is a case in point. Despite the actor's previous identification with ethnic roles, and the "ethnic" name, this background appears to have no relevance for the "Frontline" role of chief-investigating reporter which he fills. The rapid movement of second generation southern and eastern European men and women into professional and managerial roles ensures that it will soon be a routine matter for such persons to occupy elite positions in Australian society, including the mass media.

This process will not be advanced if critics continue to insist on labeling Australians according to their ethnic origin or continue to campaign for a "hard" form of multiculturalism which seeks the perpetuation of ethnic communities across the generations. Australia has so far managed to avoid Canada's fate. One of the more important defenses Australians have against being submerged into an undifferentiated international society dominated by U.S. and Japanese multinationals is our sense of identity as Australians. It would be ironic indeed if this defense were eroded by well-meaning critics in the name of ideals of diversity. Such ideals have little chance of surviving against the global media onslaught without the protection of a strong nation-state. But as the Canadian experience suggests, a strong nation-state is unlikely to survive without an underlying sense of community solidarity, hinged to a distinct sense of identity. TSC

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The Impossible Courtship

Cultural division in the Western Hemisphere

Book review by Donald A. Collins

Harrison, a Visiting Scholar at the Center for International Studies at MIT, knows his subject first hand, serving between 1965 and 1981 as a director of five missions in Latin America for the U.S. Agency for International Development. In this, his third major book, his purpose is to deal with the very difficult and controversial subject of why extensive American efforts to forge a Western Hemisphere community have not yet succeeded. For example, efforts under both Bush and Clinton have suffered greatly because of Mexico's economic and political crisis. Earlier, JFK and FDR tried an "Alliance for Progress" and a "Good Neighbor Policy" which ended in the cemetery of frustrated Pan American dreams.

Harrison, with excellent documentation, outlines why the U.S. and Canada are prosperous First World countries with centuries old democratic institutions, while Latin American countries are poor and, in most cases, experimenting with democratic capitalism for the first time.

The key question: Can we reasonably expect to construct a Western Hemisphere version of the European Union (which has been successful, albeit with many traumas) from such different cultural, economic and political backgrounds?

A central contrast between these two very different cultures, Harrison notes, is the Hispanic/Catholic tradition of the one and the English/Protestant background of the other. In the latter case, a few mentioned by the author are: a history of work ethic, educational priority, rewards based not on caste or position but on merit, a true sense of community obligation (as reflected in our strong private charities), a high sense of personal ethics, and a healthy competition before granting democratic authority.

In short, says Harrison, if we are to succeed in melting these obdurate cultures, we must acquire a sense of shared values and institutions. However, it will doubtless take leadership different than that evidenced — in Mexico, for example —which has shown the antithesis of all the values mentioned in the preceding paragraph. If Latin America does not produce political and intellectual leaders who can confront the traditional values and attitudes largely responsible for the region's underdevelopment by making sweeping reforms in education and child rearing practices, this long-standing Pan American dream will remain just that.

The Pan American Dream: Do Latin America's Cultural Values Discourage True Partnership with the U.S. and Canada?
by Lawrence E. Harrison
New York: Basic Books, 1997
288 pages, price $25.00

One of the worst results of this flawed leadership can be seen in the efforts of Mexico, Cuba and other governments to shunt excess (read "unemployed, undereducated, unwanted") populations onto the United States. The response of our own leadership to this massive legal and illegal migration threat, truly a "silent invasion" which could not be accomplished by the Axis Powers in two World Wars in this century, has been evasive, feeble, politically driven by money and moral weakness.

The 1996 immigration reform legislation ignored the need to require proper identification for employees and failed to limit massive *legal* immigration, while pretending that the only problem was *illegal* immigration. This was the result of a conspiracy of venial interests, of the professional ethnic organizations without constituency but with massive money from Ford and other foundations, the Catholic Church, and greedy American companies which want to duck paying fair wages, but

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don't mind paying handsomely for political influence.

The solution is a political one, but not complicated. We need to guard our borders, including the internal borders of entitlement, by requiring citizenship ID for government and other benefits, while making sure that the cultural values which made us great are offered under a common language. If we dally as we are, the wake up call will come, but too late for us to avoid reaching 500 million in population in the 21st Century, mostly of non-European origin.

If the 70 percent of Americans who want far less immigration don't step forward, the United States will soon take on so many from the Latin American culture that, as Harrison so eloquently warns, we too can share in their failed systems and begin the sad downhill trek toward Third World status. TSC

The Challenges of People on the Move

Migration raises political, economic, moral issues

Book review by David Payne

This is a book about problems, not solutions. If you are looking for a clear exposition of the problems of migration, then look no further, for Weiner sets them out in exquisite detail. There is a need for this type of exposition, for how can we answer problems we do not fully understand? If, on the other hand, you are looking for solutions once you understand the problems, you will be disappointed, for Weiner does not see his mission as one of providing answers to the hard questions he analyzes. His thoroughness is evident in the topics discussed briefly below.

The Global Migration Crisis
by Myron Weiner
New York:
HarperCollins, 1995
253 pages, price $23.50

Migration is a worldwide problem — a problem not limited merely to advanced industrial countries. In the recent past, world population movements were not considered threatening, at least as long as economies were growing. Refugee flows were seen as the main problem, particularly after World War II. Beginning in the early 1970s, though, a change began to take place. Labor markets narrowed, making jobs less available; yet migration continued unabated. As governments began to restrict immigration, *illegal* immigration became a problem along with political asylum. Moreover, as world populations continue to increase, population and migration issues become more and more linked to issues of national defense and social welfare. These issues arise with respect to both emigration and immigration.

Emigration is often a foreign policy tool of the sending governments, used in order to gain explicit objectives. But even when this is not overtly the case, emigration has been regarded as a means of extending political and cultural influence. (Example: the Bharatiya Vidya Bhavan, an organization supported by the Indian government, promotes Indian culture in the U.S.) *Restricting* emigration has its own intricate motivations. In addition to forced and restricted emigration, governments sometimes encourage emigration for macroeconomic goals such as partial relief for unemployment. Weiner gives three major reasons why a government might encourage emigration:

• Governments encourage migration to ease unemployment among the lower-income, less skilled classes rather than from among the better-educated. At times, though, even the better-educated are encouraged to leave — this when there are too many well-educated individuals in a particular field. (But,

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more insidiously, where the drain is only to eventually bring back technological secrets, e.g., a Pakistani nuclear physicist who acquired nuclear technology while working in the Netherlands).

- Governments sometimes encourage a flow of people out of the country when doing so results in a flow of money back into the country from those very people in the form of support for families left behind.
- Sometimes states encourage emigration as a means of handling the cost of social welfare, e.g., England's exiling criminals to Australia and Castro's emptying his prisons into the U.S.

"Weiner argues that a narrow economic perspective will not, by itself, explain the different aspects of migration. Security and stability perspectives must be taken into account..."

Emigration, then, can give a sending country great political clout, and because of this (as well as for the other reasons) is often actively promoted. It is because of the benefits of emigration to the sending country that Weiner sees a potential source of conflict as industrialized countries begin to tighten immigration policies. The extreme form of this is the "politically explosive" demand (maybe "politically suicidal" would be a better term) for a "new international demographic order in which people from low-income countries would be readily admitted into countries that are well-off" (p.43).

Receiving countries obviously should keep the policies of sending countries in mind when developing their immigration policies. It is a well-known fact that immigration can change the ethnic composition of a country and can thereby lead to a change in political power. In a nation-state minorities have traditionally been *expected* to become fully assimilated, but this concept of cultural homogeneity has come under attack recently with the rise of multiculturalism, which claims to be a positive force in accepting cultural diversity. It can, however, also be a form of enforced separation and as such can be a tool for aiding the return of migrants to their homeland and even an aid in persecuting such groups. As an example of its double-edged nature: the United Nations High Commissioner for Refugees (UNHCR) was widely criticized for assisting displaced persons in Bosnia who sought to leave, saying that it was aiding the policy of ethnic cleansing by facilitating their departure.

Is there a threshold of acceptable migration? Weiner's answer is: "It depends." There are so many different factors — economic, social, political, cultural, environmental — that it is impossible to give a clear answer. "What can be said with certainty is that every country does have a limit on the number and composition of immigrants that it finds acceptable" (p.92). The capacity of a society to absorb migrants is largely determined by three factors: first, the *willingness* of the society to absorb them; second, the structure of the labor market; and third, the commitment of the migrants to their new society. The first is the most critical, and Weiner spends some time examining different countries with respect to this: the United States, Germany, Israel, France, and Australia are all discussed.

With respect to the third point, the general observation is made that even if migrants segregate themselves, this is no barrier against assimilation so long as the children acquire the same education as others in the society. *If*, however, education is limited or if education takes place in the parent's language, which is different from the host country's, the children are handicapped in the labor market and assimilation is retarded. Multiculturalists assert that bilingual education is beneficial because it enables the migrant community to maintain its identity; while critics object that this does nothing but induce a sense of separateness, "marginalizing" the children of migrants on the labor market. Given the complexity of the issues involved, small wonder there are so many problems and conflicts.

By this time it should be obvious that migration flows can easily generate conflict between nations. Governments become concerned when other governments encourage the migration of significant numbers of people. Emigration and immigration policies are, and should be, shaped by concerns over internal stability and international security. Weiner

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argues that a narrow economic perspective will not, by itself explain the different aspects of migration. Security and stability perspectives must be taken into account in order to truly grasp the situations that are occurring worldwide. Economic theories neglect two critical political elements:

1) population movements often occur for reasons that have nothing to do with economics;

2) even if movements are induced by economic means, governments are often decisive in whether their citizens will be permitted to leave (or enter) and governmental decisions are often not economic.

There are several bad explanations for why countries accept or reject migrants, but one of the best explanations has to do with ethnic affinity. "A government and its citizens are more likely to be receptive to those who share the same language, religion, or race and to regard others as threatening" (p.136).

The problem of refugees adds yet another twist to an already complex situation. The United Nations High Commissioner for Refugees (UNHCR), which is the primary international organization for dealing with and setting policies for migrants, is guided by the 1951 Convention Relating to the Status of Refugees, which was expanded and modified in 1967. The convention defines a refugee as a person who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or unwilling to avail himself of the protection of that country" (p.151). This definition, says Weiner, is the centerpiece of international law dealing with refugees. There is always a division between those emphasizing the rights of individuals and those insisting on the rights of states. The former position, in its most extreme, is the position calling for open borders. Various international agreements prohibit discrimination against migrants on grounds of race, sex, language, and religion. Other agreements have been signed that protect refugees. "Recent statements from officials of the UNHCR emphasize the 'right to remain' as a fundamental human right" (p.154). Refugees are also accorded protection against expulsion by the principle of "non-refoulement" (to refoul is to return a refugee home). Again, those emphasizing individual rights would make this a blanket guarantee, but there are obvious problems.

When we turn from questions of policy to questions of morality in the migration topic we encounter similar complexities. The moral questions raised by migration are actually quite clear, but the debate is muddled by poor terminology and emotionalism. One of the fundamental questions in this moral morass is the question: which is primary, the needs and interests of individual countries or those of the migrants? To make matters worse, emigration is widely regarded as a matter of human right while immigration is regarded as a matter of national sovereignty. Because of these problems it is important, in trying to understand moral reasoning, that a distinction be made between personal morality and the application of moral principles to public policy. As Weiner rightly points out, "The moral choices we make as individuals need not, and often should not, be the same as the moral choices made by policymakers" (p.172).

The moral questions raised by migration are actually quite clear, but the debate is muddled by poor terminology and emotionalism."

A further distinction is also useful, viz., that between "the ethics of ultimate ends," which deals with absolute ideals, and "the ethics of responsibility," which deals with choices in the real world. "Policymakers must consider not simply whether policies are in some abstract sense moral but also whether there is a reasonable likelihood that morally desirable objectives can be achieved" (p.173). We must also distinguish between unjust policies and injustices in the implementation of policies — they are not necessarily connected.

With these points in mind, Weiner goes on to consider some specific policy issues from a moral perspective. For example, there is the issue of open vs. closed borders. The argument for open borders is most powerfully argued when based on John Rawls' (*Theory of Justice*) arguments having to do with "blind

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contractors." This is the liberal position and is often used to justify the concept of open borders as the only just position. Yet contrary positions have been argued, claiming that open borders actually lead to great injustices, e.g., Michael Walzer (*Spheres of Justice*). Walzer bases his position on the notion that countries are like clubs that can and should regulate admissions. By contrast, "globalists" dismiss the idea of community, claiming such actually to be an impediment to a just world. They claim that political order, political institutions, the cultural identity and the well-being and interests of a nation's citizens are all subordinate to the moral claims of distributive justice.

"Human rights activists are constantly trying to broaden the definition of refugee.... We run the risk of trivializing the definition if it includes too many people."

The received position with respect to closed borders is that no country is obligated to admit individuals seeking employment, higher income, or a better way of life. The claim is often made that it is morally questionable to refuse to allow one class of migrants on the basis of race, religion or culture, but that "preferential policies" are morally acceptable (Israel for Jews, Germany for Germans, etc.). Weiner sees (at least I think he sees) that these are not truly distinct. "The line between preferences and discrimination, ...is a morally thin one that is easily crossed" (p.182).

Weiner returns to the question of a definition of refugee when addressing the issue of moral claims for protection. Human rights activists are constantly trying to broaden the definition of refugee. Under some proposed guidelines almost everyone has reason to apply for refugee status since almost everyone is discriminated against by somebody at some time. There are objections to broadening the definition, though. We run the risk of trivializing the definition if it includes too many people. There is also the fact that the more liberal the definition becomes the more a nationalist regime is apt to engage in "ethnic cleansing."

Overall, Weiner gives a thorough account of the problems, (political, economic, and moral) that arise due to migration. He brings interesting issues to light, and shows the possible consequences of different migration-related policies, many of which are not obvious until he raises them. Yet not once does he attempt to take a moral stand or support a moral argument on these issues. Some may see this as simply the epitome of objective reporting, but I always feel cheated when an author refuses to take a position, hiding behind the smokescreen of objectivity. Surely Weiner has positions on these issues. And if he is as scrupulous in laying out answers as he is in analyzing the questions, they would make interesting reading indeed.

TSC

The Beginning of the End for Bilingual Education

An editorial in the prestigious *Investor's Business Daily* comments that "three California school districts are leading the way out of one of our schools' worst mistakes. The English language, and our common culture, may yet beat back bilingual education."

Apparently the state board of education in California is giving local districts more room to maneuver on ending the practice of teaching in Spanish while stepping up the pace of teaching English. The move has "strong public support and not just among English speakers. A year ago, Latino parents pulled their kids out of classes to force action..." Recent polls show that Hispanic parents, by more than 80 percent, wanted their children taught in English rather than Spanish, the editorial stated.

The *Daily* went on to assert that bilingual education is "like so many other educational fads, from new math to whole language. Without figuring out whether it even worked, its believers force-fed it to our schools. But it never made sense to most of the public, and researchers with no ax to grind are now skeptical, too."

"Who benefits from a system of linguistic apartheid?" the editors ask. "Schools can't afford bilingual education. Most parents don't want it. It doesn't work. So what keeps it going? Special interest politics help. Nearly three decades of federal funding have nurtured a sizeable lobby of folks who make their living through the program."

The editorial concludes with a call for Washington to stand back and let local districts have more and more say about the best way to educate the students in their charge.

— *Investor's Business Daily*
February 27, 1997, page A32

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Dispelling the Myth that Immigration is a Cure-all

Commentary on two papers from Europe

by James H. Walsh

Chesnais' "Flow of Peoples" and Miles' translation of "Saving the Germans from Extinction" reveal a concern by some Western Europeans regarding the impact of immigration on their cultural, ethnic, religious and social values. The authors discuss the hypothesis that immigration might solve the declining fertility rates of developed nations but also admit to problems. Professor Chesnais concludes that uncontrolled immigration creates more problems than it can ever possibly correct. The Germans understand this, yet saying so is another matter, in light of their sensi-tivity to the recent past. Both publications, however, agree that immigration is a possible cure-all to the aging-pyramid trend prevalent in developed nations.

Marion Donhoff, et al
"Saving the Germans from Extinction"
pages 40-50 in *Weil Das Land Sich Andern Muss*
(Because the Land Must Change)
Reinbeck bei Hamburg: Rowholt Verlag, 1992
translated by Jack Miles

Jean-Claude Chesnais
"The Flow of Peoples"
Braudel Papers, No. 8 (1994)

The question remains, though, whether this trend requires a cure. It may be just what the environment ordered. Or the need for population stabilization may turn out to be a great fiction, should existing technologies continue to manufacture, plow, and harvest more with less, as downsizing suggests.

The authors send subliminal messages regarding the declining birth rates of their countries, which they link to the moral disintegration of the family, failed moral and personal responsibility, welfare entitlements, lack of religious practice, and the hedonist excesses of the last fifty years. It would be a mistake to expect Third World immigrants to cure these ills.

Balkanization of America

Chesnais makes passing reference to the U.S. immigration scene. Despite contentions by open-door advocates, recent waves of U.S. immigration are incomparable to earlier migrations. Between 1800 and 1978, the process was one of assimilation and permanence; in contrast, current immigration, especially illegal immigration, is characterized by non-assimilation, lack of allegiance to the United States, and a resulting balkanization.

The situation is further compounded by the government's lack of a clear immigration policy and of a defined national direction.

"Will the last American out of Miami please bring the flag" — a witticism making the rounds in Florida spoofs the somber prediction by Professor Chesnais that Anglos will soon be the minority in California, Florida, and Texas. Most U.S. citizens, however, including those of Asian and Hispanic extraction, are appalled by the fallout from the ongoing balkanization.

Geographic patterns are a factor. William Frey, a research scientist at the University of Michigan Population Studies Center, relates the heavy concentration of immigrants with the balkanization of broad areas across the United States. Immigrant population centers tend to resist assimilation and

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encourage national disintegration. Special interests, under the guise of multicultural diversity rights, encourage the creation of new ethnic ghettos in a nation once famous as a melting pot.

What's a Nation To Do?

In his prefatory note, Jack Miles sums up the U.S. problem by declaring that the United States has no population policy — a deficiency coexistent with the lack of an immigration policy. The German authors look to Teutonic discipline for implementation of a restrictive immigration policy. From my studies in Germany, I would agree with Miles that this paradigm will work for the Germans but not for Americans. Chesnais sees the problem as one of globalization that may call into question the sanctity of borders. Nevertheless, any national immigration policy will be influenced by the following factors in the 21st century:

MEDICAL ETHICS — With the inevitable passing of the pontifical era of Pope John Paul II, a new theological analysis likely will emerge dealing with fertilization, reproduction, and population imperatives. Such changes should greatly influence the thinking of world leaders. The 21st century will see options that should help reduce the need for economic (population) migrations, which constitute 95 percent of current numbers. Governments will place greater stress on personal and moral responsibility and family obligations. Combined with theological changes, medical ethics will have a greater role in the world population ethos. The lack of a cure for AIDS will increase as a factor to both sending and receiving nations; and health concerns will become more determinative in migration matters.

WOMEN AND WORLD GOVERNMENTS — As women become more active in politics, they are holding the highest elected and appointed offices in both developed and developing nations. In Islamic countries, equalization, though slower, is occurring, with Pakistan and Turkey selecting women prime ministers. Although the tribal rituals of sub-Saharan Africa which subjugate women remain strong, the lessening of economic barriers will tend to overcome even these restraints.

FLOW OF ILLEGAL ALIENS — The Achilles tendon of the two publications, I found, is their failure to distinguish illegal aliens from legal, desirable immigrants and refugees. Chesnais, after acknowledging illegal immigration as difficult to prevent, effectively dismisses illegal aliens as a non-factor. In truth, for France, Germany, England, and the United States, illegal aliens are the crux of the matter. These vast, uncounted ghost populations pose a real threat to the economic, social, and political stability of the host country. In the United States, California Proposition 187 and Florida's copycat effort grew from a national opposition to social benefits for persons violating U.S. immigration laws. Illegal aliens strain social entitlements — welfare payments, unemployment payments, educational costs, rent subsidies, and medical assistance. Although terrorism and drug smuggling are notorious examples of criminal conduct by Third World illegal aliens, related health problems such as AIDS, cholera, and tuberculosis may be far more deadly to the host population.

An Immigration Dilemma

Professor Chesnais, in his overview article, sketches the global immigration crisis. Meanwhile in his own country, problems of migration, immigration, and assimilation are literally tearing France apart. France with its history of tolerance — for even the most radical ideas — cannot put up with terrorist bombings and fanatical religious excesses forever. Recent bombings indicate, unfortunately, an introduced cultural and religious mentality with no room for tolerance.

The German publication, as a composite of thought, proves that the establishment, the older generation, understands the complexities of the immigration issue; it does not indicate whether Germany's energetic Generation X complies.

Prospects are not bright for a clear U.S. immigration policy any time soon, because no one is willing to wrestle with the immigration dilemma — that uncontrolled numbers create more problems than they solve. If we are to continue as a nation of immigrants, we must survive as a nation of laws. Yet we have a Republican-controlled Congress intent on rehashing old immigration bromides that have been around for more than a decade and a Democratic administration that uses immigration as a foreign policy cure-all. TSC

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